

The Israeli-Palestinian Conflict and the Politics of the Quartet

An examination of the formation, outputs, and outcomes of the Quartet within the
context of the Middle East peace process from 2001-2011

A thesis submitted for the degree of Doctor of Philosophy of

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Declaration

I declare that this thesis is my own work, and to the best of my knowledge does not contain material previously written or published by any other person except where due acknowledgment is made in the text or footnotes, nor does it contain material that, to a substantial extent, has been accepted for the award of a degree or diploma at a university or college of higher education, nor does it contain any work previously submitted by me towards a degree or diploma of a university or college of higher education.



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Abstract

The 'Quartet' is an informal diplomatic mechanism designed to coordinate the efforts of major actors within the context of the Israeli-Palestinian conflict. Formed in 2001, the grouping is composed of representatives from the United States, the European Union, Russia and the Office of the UN Secretary General. Existing analysis of the Quartet, especially concerning the capacity of the grouping to facilitate both individual and collective outcomes for its members, is in some respects misleading.

This thesis establishes the historical precedents to the formation of the Quartet, and examines the outputs and outcomes of the grouping within the politico-strategic context of the Middle East peace process from 2001-2011. It presents each of the Quartet members as actors, who, while working in support of a peace process between the Israelis and Palestinians, also hoped to advance their national or organisational objectives through the association itself.

By examining the interplay between the complimentary and competing agendas and capabilities of the Quartet members, the thesis aims to provide enhanced insight into the role of external parties in the Israeli-Palestinian peace process. Accordingly, it examines the key factors that motivated individual governments and institutions to form the Quartet, and analyses the extent to which the Quartet members had both collective and individual objectives for the grouping.

In examining whether these objectives were achieved during the period, the thesis argues that the outcomes of the Quartet were shaped by its internal decision-making processes, the exclusivity of the US-Israel relationship, the nature of the Israeli-Palestinian conflict and the regional contexts in which its members sought collective influence. It argues that the Quartet demonstrated potential as a diplomatic tool, although in practice it had greater utility as a forum for coordination among its members than for influencing the behaviour of the parties to the conflict.

Chapter One: Introduction to the Quartet

We, the Quartet, as we have named ourselves, are committed to working with the Israelis and Palestinians, with Arab governments, and with the international community to restore the hope of all the people in the region for a peaceful, secure and prosperous future.

- Colin Powell, United States Secretary of State (2001-2005).¹

Oh, the Quartet is nothing! Don't take it seriously!

- Ariel Sharon, Israeli Prime Minister (2001-2006).²

Introduction

The first official statement of the Quartet was the product of an all-nighter.³ Diplomatic representatives from the United States, the European Union, Russia and the Office of the United Nations Secretary General (UNSG) were unable initially to reach consensus on the wording of the statement, which addressed the dramatic breakdown in relations between the Israelis and Palestinians unfolding in early 2002.⁴ UNSG Kofi Annan remarked to his envoy at the time, Norwegian diplomat Terje Roed-Larsen,⁵ that rectifying the divisions between the members seemed unlikely.⁶ Nonetheless, Roed-Larsen dispatched his Special Assistant, Bruce Jones, who worked with envoys and experts through the night, and produced a statement that was acceptable for all parties by the early morning.⁷

On 10 April 2002, in Madrid, the principal representatives of the Quartet addressed the international press for the first time as a collective.⁸ Prior to delivering the

¹ US Department of State, "Remarks by US Secretary of State Colin Powell and UN Secretary-General Kofi Annan on "Madrid Quartet" Initiative to Convene a Regional Peace Conference in the Middle East," Washington, DC: 2 May, 2002.

² Lally, W., "Fighting Words, Hard Choices," *Newsweek*, Vol. 141, no.4, 2003.

³ Roed-Larsen, T., Former United Nations Special Coordinator for the Middle East peace process, interview with the author, New York City, October, 2011.

⁴ This thesis uses the following abbreviations for the Quartet members: United States (US), European Union (EU), and the United Nations Secretary General (UNSG).

⁵ Roed-Larsen served as UN Special Coordinator for the Middle East peace process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority from 1999 to 2004. He was a key figure in the negotiations that led to the 1993 Oslo Accords.

⁶ Annan later noted that: 'I knew this would be a test for my fledgling foursome, and I was worried we would not be able to find common ground. But the envoys worked through the night before the meeting to agree to a statement, which sent tough and clear messages to both the Israelis and the Palestinians, and gave our full support to Powell before he visited the region – a position subsequently backed up by the Security Council.' See: Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 279.

⁷ Roed-Larsen. Interview with the author, New York City, October, 2011.

⁸ Specifically, these representatives were the US Secretary of State, Colin Powell, the Russian Foreign Minister, Igor Ivanov, the EU High Representative for Common Foreign and Security Policy (from here on, CFSP), Javier Solana, and the Foreign Minister of Spain, Joseph Pique.

abovementioned joint statement, UNSG Annan commented on the deteriorating security situation in the Middle East at that time.⁹ He stated that he was ‘appalled’ by the humanitarian crisis developing in the West Bank and Gaza, and added that the international community ‘demanded’ that the Government of Israel ‘honour its obligation under international law to protect civilians.’¹⁰ Annan then read the joint statement, which centred on the Quartet’s efforts to de-escalate the situation and return the parties to a mediation framework. Shortly afterward, Secretary of State Colin Powell, the US representative to the Quartet, was asked by a member of the press whether he too was ‘appalled,’ and whether he shared the sentiments expressed in Kofi Annan’s opening statement. Powell replied that ‘in that instance, the Secretary General was speaking in his own authority as the Secretary General of the United Nations,’ but that he was certainly ‘concerned’ by the humanitarian situation.¹¹

The contrast between the respective comments of Annan and Powell highlighted a core feature of the Quartet, namely that, from its inception, the grouping was a balancing act for its members, who attempted to reach consensus (or at least maintain a semblance of collective agreement on broad principles) and affect changes within the context of a complex and variable regional conflict.

Research Question

Why did the Quartet form, and what were the outputs and outcomes of the grouping from 2001-2011?

This thesis establishes the historical precedents to the Quartet, and examines the outputs and outcomes of the group within the politico-strategic context of the Middle East peace process (MEPP) from 2001-2011. It presents the key factors that motivated the individual governments and institutions to form the Quartet, and analyses how membership in the grouping shaped their approach to the Israeli-Palestinian conflict. It establishes the extent to which the Quartet members had both collective and individual

⁹ The second *intifada* erupted in late September 2000. As violence on both sides escalated, the political process completely disintegrated. On 27 March 2002, a suicide bomber killed 30 people at the Pesach Hotel, and the Israeli Defence Forces responded by launching ‘Operation Defensive Shield’, the largest Israeli incursion into the West Bank since the 1967 war.

¹⁰ US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana," Madrid, Spain: 10 April, 2002.

¹¹ Ibid.

objectives for the group, and whether these objectives – to the extent that they existed – were achieved during the period of 2001-2011.

Furthermore, the thesis presents each of the Quartet members as actors, who, while working in support of a peace process between Israelis and Palestinians, also hoped to advance their national or organisational objectives through the association itself, including harmonising their conflicting approaches, and enhancing collaboration in other areas of mutual interest. It argues that, overall, the Quartet had a greater utility for its members than for the parties to the conflict.

The thesis presents the Quartet as an adaptive and flexible mechanism, operating within a period of paradigmatic shifts in the Israeli-Palestinian conflict, and argues that the outputs of the grouping evolved in response to these changes. It presents the Quartet as a microcosm of the interactions of major actors during this period that reflected the changes in the priorities and policies of its members, as well as changes in the conflict itself.

Moreover, it argues that the outcomes of the Quartet were shaped by its internal decision-making processes, the exclusivity of the US-Israel relationship and the regional contexts in which its members sought collective influence. The nature of the Quartet and the nature of the Israeli-Palestinian conflict both affected the work of the grouping – often simultaneously and unequally.

By examining the interplay between the complimentary and competing agendas and capabilities of the Quartet members, the thesis aims to provide enhanced insight into the role of external parties in the functioning of the Israeli-Palestinian peace process, and into the broader interaction between major actors in the Middle East.

Thesis Scope

The thesis situates the Quartet within the recent historical context of previous peace initiatives in the Israeli-Palestinian conflict, and presents the key precedents and motivating factors that led to its formation. Subsequently, the analysis of the outputs of the Quartet focuses specifically on the period of 2001-2011. There are two main reasons for this approach. Firstly, a ten year time frame is necessary to capture adequately various developments within the Israeli-Palestinian conflict, as well as the changes in the responses and outputs of the Quartet. The personnel within of the Quartet changed over time, as did its outputs within the context of the Middle East peace process, from

initially focusing on ending the second *intifada* to becoming more involved in Palestinian institutional reform and the promotion of final status negotiations. The conflict itself altered as a result of – to name but a few factors – the death of Yasser Arafat; the 2006 Hamas election victory and the Fatah-Hamas split; the Israeli withdrawal from Gaza; and the construction of the so-called ‘Security Barrier.’

Secondly, from early 2011 onwards, a series of popular resistance movements engulfed much of the Middle East and altered the political landscape of the region.¹² The ramifications of this regional upheaval on the Israeli-Palestinian conflict, including the responses of the members of the Quartet and the parties to the conflict, cannot be addressed adequately within the confines of this research. For this reason, the thesis does not seek to explain the emergence of these uprisings, nor their effects on the Middle East peace process. The analysis of the outputs of the Quartet concludes in January of 2011, when mass demonstrations began in Egypt.

While this analysis necessarily includes assessments of the effectiveness of peace initiatives during this period, it is also important to establish at the outset that the thesis should not be viewed as a comprehensive history of the Israeli-Palestinian conflict, or of the Middle East peace process in its entirety. It is primarily an evaluation of the efforts of international diplomats working, specifically under the umbrella of the Quartet, on the peace process from 2001-2011.

Finally, as discussed at the conclusion of this chapter, this thesis does not rely on a theoretical approach to explaining the role of the Quartet, nor will it use the Quartet as a case study to validate (or challenge) a paradigm or theoretical model of diplomacy or international relations.

Defining the Quartet

There are both practical and conceptual challenges to defining and evaluating the Quartet. Firstly, the Quartet members have never provided an official definition, or a *modus operandi* of the group. There are no foundational documents, no charter or bylaws, and the group meets and functions on an *ad hoc* basis, in varying locations and

¹² Entrenched and repressive Governments were removed in Tunisia, Egypt, and Libya and a massive resistance movement emerged in Syria that escalated into open conflict. At the time of writing, control over the power structures within these countries remains highly contested, and the regional and global repercussions of these events are still emerging.

in response to shifting circumstances.¹³ In the Quartet statements from April 2002 until January 2011 there were no attempts to define the Quartet in any way, other than by repetition of the phrase, 'Following is the text of a statement issued by the Quartet (United Nations, Russian Federation, the United States and European Union).'¹⁴ In seeking to maximise their individual interests and enhance the flexibility of the group, the members saw nothing to gain by removing ambiguity concerning the Quartet's precise nature and functions.¹⁵ This ambiguity facilitated the shift in the Quartet's roles over time, but also resulted in a variety of differing characterisations from observers outside the Quartet.

At inception, the Quartet was hailed as an 'ingenious diplomatic experiment,' that had the potential to 'harmonise disparate diplomatic efforts and to discourage potentially contradictory solo forays by important actors in the Middle East.'¹⁶ The Quartet has also been characterised as a collaborative multilateral 'stabilisation effort' that, through leveraging the combined clout of its members, could revive the political process in the Israeli-Palestinian conflict,¹⁷ or act as a mediatory body.¹⁸ Others argued that the Quartet functioned more as a 'group of friends' of the United States,¹⁹ or as a 'control framework' for bilateral negotiations, than as a genuine multilateral grouping.²⁰

The Quartet is simply an *ad hoc* high level consultative mechanism by which the United States, Russia, the European Union, and the United Nations Secretary General coordinate their work within the context of the Middle East peace process. The depth, type and relative success of this coordination are the key focus areas of this thesis.

The Quartet has evolved over time, and its functions have changed to adapt to the needs of its members. During different periods, it has functioned as a normative body, a legitimising mechanism for supporting the actions of its members, a forum for

¹³ The only time and location that the Quartet meets regularly is in New York City, during the annual convening of the UN General Assembly each September.

¹⁴ See: US Department of State, "Joint Statement by the Quartet," Washington, DC: 20 December, 2002.

¹⁵ In particular, the UNSG avoided institutional complications, such as having to report to the Security Council, that would have arisen from a more formal and structured arrangement. See: de Soto, A., "End of Mission Report," *The Guardian*, 12 June, 2007.

¹⁶ *Ibid.*, p. 23.

¹⁷ Kurtzer, D. and Lasensky, S., *Negotiating Arab-Israeli Peace: American Leadership in the Middle East* (Washington, DC: United States Institute of Peace Press, 2007), p. 42.

¹⁸ Bauman, K., "The Middle East Quartet of Mediators: Understanding Multiparty Mediation in the Middle East Peace Process" (3372461, University of Denver, 2009).

¹⁹ de Soto, "End of Mission Report," p. 24.

²⁰ Musu, C. "The Madrid Quartet: An Effective Instrument of Multilateralism?" *International Studies Association 48th Annual Convention*, Chicago, USA, 28 February 2007.

discussing and coordinating policy, and even a grouping that has produced its own envoys. In essence, however, the Quartet is a tool, the flexible and ambiguous nature of which has allowed it to be used by its members to pursue numerous objectives in diverse ways within the context of the Israeli-Palestinian conflict.

The Importance of Examining the Quartet

Despite its powerful membership, there has never been a comprehensive and in-depth analysis of the formation, outputs and outcomes of Quartet, which is a platform for the intersection and competition of the policies and positions of the Secretary of State of the world's only super power, the Foreign Minister of a former super power, the Secretary General of the world's largest international organisation and the Foreign Affairs representative of the world's largest supranational organisation. Through the Quartet, these parties seek to have an active role in resolving one of the most prolonged and penetrative conflicts of the modern era.

The reason for this absence of academic analysis may reflect, at least in part, the fact that as a mechanism, the Quartet is unlike multilateral institutions such as UNESCO or UNRWA, which have a degree of agency that goes beyond the inputs of individual member countries.²¹ The Quartet has no institutional identity or agency that exists in isolation from the contributions of its members. Instead, the Quartet functions as a microcosm of the interactions between global powers within the context of the Middle East peace process, and as one UN official noted, 'the instrument reflects the ingredients.'²² While the members of the Quartet have sometimes professed to speak on behalf of the international community,²³ in actuality the policies of the grouping are reflective only of the areas of commonality between the policies of its members.

²¹ For an in-depth analysis of UNRWA's organisational agency within the context of the Israeli-Palestinian conflict, see: Bowker, R., *Palestinian Refugees: Mythology, Identity, and the Search for Peace* (Boulder; London: Lynne Rienner, 2003). For an examination of the relationship between structures and agents within UNESCO, see: Finnemore, M., *National Interests in International Society* (Ithaca: Cornell University Press, 1996), pp. 34-66. For an expanded discussion of international organisations and global politics, see: Finnemore, M., *Rules for the World: International Organizations in Global Politics* (New York: Cornell University Press, 2004).

²² UN official. Interview with the author, Jerusalem, November, 2011.

²³ See for example Russian Foreign Minister Sergei Lavrov's statement on 26 September 2003 that: 'The Quartet, of course, represents the States [US], represents the European Union, the UN, but we're entitled to say that the Quartet basically speaks on behalf of the entire international community since we have very active consultations with the Arab states and with other states of the world.' Similarly, in the same Quartet press conference, UNSG Annan noted that 'The international community, represented by the Quartet, has presented the parties with a roadmap towards peace.' See: US Department of State, "Press Availability With UN Secretary General Kofi Annan; Foreign Minister Franco Frattini of Italy in the

Furthermore, while the internal practices and mechanisms of the Quartet are discussed further in *Chapter Three: The Formation of the Quartet*, it is important to emphasise that the Quartet is a mechanism based on consensus among its members. All Quartet positions, therefore, represent the areas of overlap between the individual positions of Quartet members on particular issues. When diplomats within the Quartet cannot reach consensus on an issue, the group either takes no action, or focuses purely on the limited areas of agreement between the members. Consequently, both the outputs and outcomes of the Quartet members throughout the period of analysis were dictated by efforts – of varying success – to overcome internal disagreements concerning the Israeli-Palestinian conflict. As this thesis establishes, this process was, and remains, inherently political.

There are several misconceptions and mischaracterisations in the limited existing literature on the Quartet that this research seeks to address. These misconceptions, largely based on an inability to differentiate between the *failings* and the *limitations* of the Quartet, include the following:

The Quartet as a singular actor

Within the literature on the Quartet, the grouping is often presented as a singular actor in its own right; seemingly capable of making decisions independent of the constraints that its constituent members face.²⁴ This form of misrepresentation commonly takes place when the Quartet's utility is appraised within the context of the peace process,²⁵ although the Quartet members themselves often present their shared views in a way that downplays the heterogeneous nature of the grouping.²⁶

However, the Quartet can only be as active or effective as the individual members of the grouping allow it to be. The policies pursued by the Quartet always originate within the politics of the Quartet members. It is, therefore, not an independent actor, but a vessel for the coordination and transmission of messages by its members.

Capacity of European Union Presidency; European Union High Representative Javier Solana; and Foreign Minister Igor Ivanov of the Russian Federation," New York City: 26 September, 2003.

²⁴ See: Bauman, "The Middle East Quartet of Mediators: Understanding Multiparty Mediation in the Middle East Peace Process". Elgindy, K., "The Middle East Quartet: A Post Mortem," *The Saban Center for Middle East Policy, Brookings Institute*, 25 (2012).

²⁵ For example, in Evans, G., "Israel and the Quartet must seize the moment," *Financial Times*, 19 September, 2006.

²⁶ This can be as simple as the persistent use of the word 'Quartet' as a collective noun – for example, 'The Quartet calls on all parties to respect the Blue Line, halt all attacks, and show the utmost restraint.' See: US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana."

The peace process has failed, therefore the Quartet has failed

Evaluating mediation attempts from 2001-2011 must take into consideration both the fundamental and contemporary characteristics of the conflict, as well as the dynamics of dealings among the Quartet members. Given that the Quartet reflects the levels of agreement among its members regarding the peace process, and operates as a forum for discussion in the event of disagreement, then authors that call for the dissolution of the Quartet, or declare it dead,²⁷ must explain how *less* collaboration between global powers would be *more* effective in the context of achieving an Israeli-Palestinian accord.

From its first official statement, the Quartet was defined by compromise. Its members operated within challenging organisational and regional circumstances, and pursued collaboration while aware fully of the limitations of their role and influence, both collective and individual, from 2001-2011. The idea that underpins the Quartet is that its members stand to achieve more together than they would separately.²⁸ Testing this notion within the context of an extremely challenging and resilient conflict requires more than simply looking at end results. As one UN official remarked:

Most peace processes fail more often than they succeed. You need enormous amounts of luck, the right leader here, the right leader there, and also the right regional context. Everything's got to fall into place, and four times out of five, that won't happen.²⁹

Moreover, while the efforts of the Quartet members during this period did not culminate in the successful resolution of the Israeli-Palestinian conflict, neither did the efforts of other actors during this same period – or throughout the preceding history of the conflict.³⁰

The merit of a collaborative approach to the Middle East peace process, therefore, cannot be determined solely by analysing the extent to which it has resulted in a resolution of the conflict. Such analysis not only pre-supposes that the Israeli-Palestinian conflict has a 'solution,' but downplays the extent to which the actions and reactions of the parties to the conflict (including paradigmatic shifts such as the collapse of the Oslo Accord framework of negotiations, the Gaza Disengagement, the Fatah-Hamas split, and the Israeli domestic shift to the right of the political spectrum) impact on the success or failure of third-party initiatives.

²⁷ Elgindy, "The Middle East Quartet: A Post Mortem."

²⁸ Roed-Larsen. Interview with the author, New York City, October, 2011.

²⁹ UN official. Interview with the author, Jerusalem, November, 2011.

³⁰ The strengths and limitations of the Quartet for the pursuit of both collective and individual outcomes are discussed in-depth in *Chapter Nine: Conclusion – The Outcomes of the Quartet*.

The Quartet as a level playing field

Finally, while the Quartet powers operate within the group on the basis of consensus, the extent to which individual positions are amenable to pressure from other Quartet members necessarily reflects the political realities that exist both outside and within the Quartet. Essentially, the members of the Quartet have always been free to disagree with each other but, by default, some members are more persuasive than others. As former EU Quartet envoy Marc Otte noted, ‘powers get together to influence each other; it’s the essence of diplomacy.’³¹ Authors that point to US dominance of the discourse within the Quartet as evidence of its defects as an instrument, therefore, are downplaying the fact that within the Quartet, the realities of diplomacy, pressure, power and influence are the same as they are outside the Quartet.³² For example, while European involvement in the Quartet functioned as a forum for the pursuit of European foreign policy objectives vis-à-vis the Israeli-Palestinian conflict, European officials interviewed as part of this research consistently acknowledged that the United States remained the primary third-party within this context.³³ Likewise, while UNSG Annan sought to revitalise the political role of his office through membership in the Quartet, UN officials interviewed recognised the limited ability of the UNSG to influence other members of the group.³⁴

Thesis Contribution

This thesis is the first comprehensive account of the formation and operation of the Quartet. It establishes the key factors that motivated the individual governments and institutions that formed the Quartet, and where membership in this body fitted into their broader strategic visions.

The thesis provides enhanced insight into the role of external parties in the functioning of the Israeli-Palestinian peace process, sheds light on the tensions between national and institutional interests that often exist in the Middle East, and provides an historical record and critical evaluation of the key mediation efforts from 2001-2011.

Finally, this thesis is the first comprehensive textual analysis of the Quartet statements produced from 2002-2011. It assesses the impact that the members of the Quartet had

³¹ Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

³² For an example of such a conclusion, see: Elgindy, "The Middle East Quartet: A Post Mortem."

³³ EEAS Official. Interview with the author, Brussels, November, 2011.

³⁴ de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

within the context of the Middle East peace process, and the extent to which the grouping facilitated the harmonisation of the approaches of the members.

Key Literature on the Quartet

The majority of the literature on the Israeli-Palestinian conflict is either uncritical of the Quartet (simply making passing references to its key members) or dismissive of its impact on the peace process and capabilities as a meaningful actor in the region, and thus unconcerned with its workings. This thesis argues that a more nuanced and comprehensive approach is needed to explain the functioning and capabilities of the Quartet; one that accounts for the organisational and political constraints on the work of its members. This section discusses the key works that have examined aspects of the Quartet, and presents the ways in which this research differs in scope, focus, depth and conclusions to these previous works.

Kris Bauman: The Middle East Quartet of Mediators – Understanding Multiparty Mediation in the Middle East Peace Process

At the time of writing, only one other doctoral thesis examines the Quartet, and in this case it is the secondary focus.³⁵ Bauman's analysis is within the context of a broader discussion of multiparty mediation theory, in which he seeks to determine the conditions under which multiparty mediation is *unsuccessful* in moving conflicting parties to resolution. By Bauman's own admission, the Quartet has 'rarely, if ever, conducted actual multiparty mediation,' despite creating the opposite impression.³⁶

While Bauman's thesis briefly mentions the politics of the formation of the Quartet, it does not examine the motivations of each actor in-depth, especially in regard to Russia. Furthermore, Bauman frames his analysis of the operation of the Quartet within an exploration of Druckman's theory of turning points, which focuses primarily on negotiations.³⁷ Because the Quartet spent much of 2001-2011 attempting to bring the parties to the conflict back *into* a negotiations framework, and rarely, if ever, took part in negotiations as a collective when they did occur, the benefits of applying the theory of turning points to Quartet behaviour during this period are limited.

³⁵ Bauman, "The Middle East Quartet of Mediators: Understanding Multiparty Mediation in the Middle East Peace Process".

³⁶ Ibid., p. 234.

³⁷ Druckman, D., "Stages, Turning Points, and Crises: Negotiating Military Base Rights, Spain and the United States," *The Journal of Conflict Resolution* 30, no. 2 (1986).

Ultimately, Bauman's analysis presents the absence of positive developments within the context of the Israeli-Palestinian conflict as evidence of the ineffectiveness of the Quartet as a tool for conflict resolution.³⁸ In contrast, this thesis concludes that the Quartet operated during a period in which progress in the Middle East peace process was complicated by circumstantial factors outside Quartet influence. Therefore, it differs in scope and focus from Bauman's, and ultimately comes to substantially different conclusions.

Khaled Elgindy: The Middle East Quartet – A Post Mortem

Elgindy's analysis draws heavily from that of Bauman, and argues that the effectiveness of the Quartet can be determined by analysing the impacts that the Quartet's policies have had on the parties to the conflict.³⁹ This is but one aspect of the functioning of the Quartet, and this thesis argues that the primary justification for the Quartet is as a tool for coordinating and harmonising (or at least reducing competition) among the approaches of its members. The eventual success or failure of these policies must take many other factors into account that fall beyond the control of the Quartet members.

Furthermore, and in a similar fashion to Bauman, Elgindy's work presents and critiques the Quartet as a singular actor, rather than as a platform for the policies of several actors, each under their own political constraints. His analysis calls for more robust policies from the Quartet, but neglects the fact that any Quartet policy is a representation of the areas of policy overlap of its members.⁴⁰ Finally, Elgindy's analysis includes no in-depth examination of the Quartet statements, and presents only four case studies of the functioning of the Quartet.⁴¹ Elgindy's work does add value to the discussion of the Quartet, but this thesis differs in scope and focus, and offers more comprehensive findings.

Alvaro de Soto: End of Mission Report

One of the only accounts of the internal political processes of the Quartet is the leaked classified 'End of Mission Report' of former UNSG envoy to the Quartet, Alvaro de

³⁸ Bauman, "The Middle East Quartet of Mediators: Understanding Multiparty Mediation in the Middle East Peace Process", pp. 207-26.

³⁹ Elgindy, "The Middle East Quartet: A Post Mortem."

⁴⁰ Ibid.: p. 52.

⁴¹ These are: The construction of the Roadmap document; the Quartet position on Hamas in 2006; the Gaza Flotilla movement; and the role of the Office of the Quartet Representative. This thesis argues that the work of the Quartet members was highly context dependant, and that Quartet behavior cannot be encapsulated through the examination of discrete historical events.

Soto.⁴² In it, de Soto candidly details the internal politics of the Quartet, and his resulting frustrations during the period of his posting from 2005-2007. While this account is an important critical evaluation of Quartet functionality, it deals only with the period of de Soto's employment. Because of the intended audience of the report, and the author's experience, it is also heavily UN-centric.

This thesis expands upon de Soto's report, examining the Quartet not only on a larger scale, but also from the perspective of multiple actors. It draws upon de Soto's conclusions regarding the role of the Secretary General within the context of the Quartet, but comes to different conclusions regarding the utility of the Quartet as a mechanism, including its potential future use.

Key diplomatic memoirs: *James Wolfensohn, Martin Indyk, Condoleezza Rice, Kofi Annan, George W. Bush and Tony Blair*

The work of the Quartet was the culmination of the inputs of its member organisations. This process played out through the interactions of individuals representing these organisations within the Quartet. Consequently, within the Quartet, individuals and working relationships mattered, and the memoirs of diplomats and officials whose careers involved direct access to (or familiarity with) the grouping act as key sources of information for this thesis.

The thesis utilises the anecdotal evidence presented in these accounts in order to contextualise the outputs and outcomes of the Quartet throughout the period of analysis. However, while these authors provide useful supporting information concerning the functioning of the Quartet from 2001-2011, they all do so within the context of personal and professional narratives – rather than through in-depth academic analysis of the grouping. None provides a comprehensive history or assessment of the Quartet beyond the limits of their personal involvement with the group.

Former US State Department official Martin Indyk discusses his involvement in the formation of the Quartet during his appointment as the US Ambassador to Israel.⁴³ His account provides useful examples of the early approach to the peace process adopted by

⁴² de Soto, "End of Mission Report," p. 3.

⁴³ Indyk, M., *Innocent Abroad: An Intimate Account of American Peace Diplomacy in the Middle East* (New York: Simon & Schuster, 2009).

the Bush Administration, and provides important observations concerning the US-Israel relationship during this period.⁴⁴

Former World Bank President James Wolfensohn's autobiography includes discussion of his tenure as the Quartet envoy responsible for overseeing the Israeli withdrawal from Gaza, and offers insights into the functioning of the grouping in 2005 and 2006.⁴⁵ In particular, his account is illustrative of the role that former US Secretary of State Condoleezza Rice played in the negotiation of the so-called Agreement on Movement and Access following the Israeli disengagement from Gaza, and his conclusions regarding the utility of the grouping itself are discussed in subsequent chapters of this thesis.⁴⁶

Former US Secretary of State Condoleezza Rice's account of her years in the Bush Administration provides many important observations regarding the US approach to the peace process during this period.⁴⁷ In particular, Rice's account comments on the divisions that existed between the US State Department and the White House during the first term of the Bush Administration (crucial to the formation of the Quartet), and her eventual work as the US Secretary of State from 2005-2009. Importantly, this work included coordination with the Quartet members, and Rice's account provides contextualisation of the US-Israel relationship during this period, which inherently affected the functioning of the grouping.

Former UNSG Kofi Annan's 2012 autobiography is an important record of the personal role that he played within the Quartet from 2001-2006, and includes a first-hand account of the formation of the grouping.⁴⁸ Annan provides insights into the capacity of the UNSG to affect meaningful change within the context of the Middle East peace process, and includes numerous examples of Quartet functionality during his tenure. As a driving force for the formation and continuation of the Quartet, Annan's views are cited

⁴⁴ As a follow-up to Indyk's account, an interview was conducted with the author in October 2011. References to this interview are present throughout this thesis.

⁴⁵ Wolfensohn, J., *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank* (Pan Macmillan Australia Pty. Limited, 2009).

⁴⁶ These events are discussed in greater detail in *Chapter Six: The Disengagement Process*.

⁴⁷ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011).

⁴⁸ Annan, *Interventions: A Life in War and Peace*.

frequently throughout this thesis, and his conclusions regarding the utility of the grouping are afforded special consideration in subsequent chapters.⁴⁹

Finally, the accounts of former US President George W. Bush and former British Prime Minister Tony Blair are both relevant to the work of the Quartet, despite neither making a single specific mention of the grouping.⁵⁰ In both cases, this absence is conspicuous. Bush's account offers insights into his relationship with Israeli Prime Minister Ariel Sharon, his de-prioritisation of the peace process in favour of US intervention in Iraq, and the decisions of his Administration within the context of the peace process. However, in his account, Bush does not describe the role of the Quartet within these contexts, an absence that is arguably indicative of his lack of direct association with the work of the grouping.⁵¹ Blair's account offers useful insights into the US-UK relationship during the early stages of the Quartet's work, and also provides Blair's observations of President Bush during moments of key relevance to the peace process. Furthermore, in 2007 Blair was appointed as the official Quartet Representative, and – at the time of writing – continues to hold this position.⁵² Despite his prominent role as the face of the Quartet within the region, however, Blair makes no direct reference to the work of the grouping, or the circumstances surrounding his involvement with it. Despite this, his account offers indirect insights into the functioning of the grouping.

The overall pattern in the autobiographical literature on the Quartet is of fractured accounts that are narrow in scope, and that come to different conclusions regarding the role and impact of the grouping. However, this thesis is the first work to bring together the observations of these separate authors in support of a comprehensive analysis of Quartet behaviour.

⁴⁹ Annan's conclusions regarding the work of the Quartet are discussed in-depth in both *Chapter Seven: The Palestinian Divide*, and *Chapter Nine: Conclusion – The Outcomes of the Quartet*. In addition to his autobiography, a key source for Annan's views on the Quartet is his 2006 'End of Mission Report' to the UN Security Council. See: United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006.

⁵⁰ Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), Blair, T., *A Journey: My Political Life*, 1st ed. (New York: Alfred A. Knopf, 2010).

⁵¹ As this thesis establishes, the Quartet operates exclusively at the ministerial or secretarial level or below. The involvement of the United States with the Quartet, for example, includes only the US Secretary of State and their envoys. This level is known as the principals level, and there is no higher level of interaction within the Quartet. While the efforts of Secretaries of State Condoleezza Rice and Colin Powell necessarily included constant interactions with President Bush, his involvement with the Quartet in a direct sense was almost non-existent.

⁵² The politics surrounding Blair's appointment are discussed in *Chapter Seven: The Palestinian Divide*.

The Quartet Statements: 2002-2011

The public statements of the Quartet were – in effect – the official means through which the members sought to exert normative influence, and usually coincided with the meetings of the principals.⁵³ This thesis is the first comprehensive critical analysis of the 47 Quartet statements issued from April 2002 to January 2011.⁵⁴

Analysis of these statements takes place over several chapters of this thesis. *Chapter Three: The Formation of the Quartet* discusses the role of the Quartet envoys in the authorship of the Quartet's statements. *Chapter Four: The General Practices of the Quartet*, offers general observations regarding the nature and frequency of Quartet messaging, and provides analysis of the timing and scope of the Quartet statements from 2002-2011. Finally, chapters five, six, seven and eight provide the context for each of the Quartet statements throughout the period of analysis, and situate the public work of the grouping within both the organisational and regional environments.

As the subsequent chapters demonstrate, while the Quartet statements were primarily intended as a means for the presentation of a unified and cohesive public stance, they also often presented a secondary narrative of compromise among the members, and demonstrated changes over time in Quartet positions and policies. The statements provided an important account of the key areas of agreement and disagreement among the Quartet members, how they wanted to be viewed and their intended audiences. By extension, these statements serve as an important record of the key diplomatic initiatives of international actors from 2002-2011 within the context of the Middle East peace process.

Thesis Methodology

Document analysis

In addition to analysis of the first-hand accounts of officials familiar with the work of the Quartet and its members, this thesis draws extensively from organisational documents produced by the Quartet members. Specifically, this includes documentation relating to the work of the Quartet or the Quartet members – such as reports, press

⁵³ However, not all meetings of the Quartet resulted in statements, particularly when the conflicting positions of the members could not be reconciled, or when the meetings were held in secret. EEAS Official. Interview with the author, Brussels, November, 2011.

⁵⁴ This analysis spans from 2002-2011 because – despite forming in 2001 – the Quartet did not release its first official statement until April 2002.

releases, briefing papers or memoranda – generated in the United Nations, the European Union, the Russian Ministry of Foreign Affairs, the US State Department, or by the Quartet itself (i.e. the Quartet statements).

Analysis of external literature was also undertaken to complement, reinforce and challenge the Quartet member documentation. This literature consisted of accounts and documentation produced by organisations outside the membership of the Quartet, or by individuals whose governmental or organisational affiliation did not fit under the umbrella of Quartet membership. Specifically, this included governmental documentation relating to the Quartet produced by key regional actors in the Middle East, especially Israel, and documentation produced by key non-state actors, especially non-government organisations (NGOs). Furthermore, this category includes analysis of the literature of the global academic and journalistic communities regarding the Quartet, particularly regarding its internal politics.

Interviews

In addition to analysis of relevant academic and organisational literature, a key component of this thesis is comprised of data from interviews conducted with Quartet principals, their envoys, members of their respective organisations, academics and journalists. Interviewees were approached on the basis of their personal experience with the Quartet, including the functioning of the governments and organisations involved in the grouping, or their broader strategic understanding of Israeli-Palestinian conflict and the Quartet's role within it. The key function of the interviews was to test the findings of the document analysis, and to put the hypotheses of the thesis under direct scrutiny from those who played significant roles during the period. It is important to acknowledge that this process was inherently dependant on interviewees being on public record.

All interviews were conducted in person by the researcher, from October-December in 2011, in Washington DC, New York, Tel Aviv, Jerusalem, Ramallah, Cairo and Brussels. The interviews were semi-structured, centring on the core themes of the research. With consent, these interviews were recorded by the researcher to ensure the accuracy of the subsequent quotations presented in this thesis. When consent for publication was not given, interviews were either documented with hand written notes, or, if requested, not documented at all.

Interviewees were given the option to remain anonymous and to have no attribution of their remarks in this thesis, or to be identified clearly and have their responses attributed. This flexible approach was adopted to increase the likelihood that individuals concerned about speaking candidly would participate in the research. Unsurprisingly, individuals working currently in Quartet member organisations often chose to remain anonymous, though the vast majority of interviewees allowed the interviews to be recorded. It should be noted that participation was entirely voluntary and no interviewees were paid by the researcher.

There were limitations to the interview approach adopted in this research. Firstly, the approach necessarily dictated that only individuals willing to volunteer their time without financial compensation took part in the research. Compounding this issue was the fact that many individuals with intimate knowledge of the Quartet held high public profile positions with demanding schedules. This made direct contact with these individuals problematic, and securing interviews with them was extremely difficult. Secondly, by primarily approaching individuals whose experience with the Quartet was a matter of public record – an approach necessitated by the limited literature on the grouping – individuals who worked in less public roles may have been overlooked. Some interviewees went to the trouble of introducing the researcher to less well-known, but equally experienced, colleagues, but this was rare. Finally, the selection of individuals interviewed was in some ways dictated by the financial constraints of the researcher, and upon the geographic limitations of meeting interviewees in person.

Ultimately, the accounts collected throughout the interview process constitute an important source of information on the work of the Quartet members, as well as the functioning of the Israeli-Palestinian conflict. This thesis combines both documentary analysis and interview data to provide – to the maximum extent possible – a comprehensive account of the work of the grouping.

Theoretical component

While it is useful to acknowledge and incorporate theories of *diplomatic strategy*, *international relations*, and *conflict resolution* when examining the behaviour of actors on the global stage, this research does not rely on a theoretical approach the Quartet, nor does it use the Quartet as a case study to validate (or challenge) a paradigm or theoretical model in any of those fields.

The hazard of rigid theoretical frameworks – which by default affect the values promoted or excluded – is that, as Charles Taylor argues, if certain outcomes are ruled out, the ‘framework will usually determine for itself’ what is the best possible state of affairs.⁵⁵ For example, Bauman’s analysis of the Quartet was situated within a study of multiparty mediation that used Druckman’s ‘turning point analysis’⁵⁶ to narrow examination of Quartet action to five so-called ‘precipitant events.’⁵⁷ As a study of multiparty mediation *failure*, Bauman’s analysis presupposed not only that the Quartet was a mediatory body, but also that the responses of its members to each of these events resulted in failure.⁵⁸ Therefore, Bauman’s analysis approached the Quartet with its outcomes already established, and excluded contradictory evidence by narrowing its focus to only five events.

As previously established, this thesis is exploratory in nature, and is the first comprehensive analysis of the outputs and outcomes of the Quartet. As such, it avoids the application of a theoretical framework that could create a path dependency regarding its findings. Instead, it adopts a qualitative approach that emphasises complex explanations for Quartet behaviour. As Creswell argues, such an approach is useful for analysis of topics that do not have a well-established academic discourse:

If a concept or phenomenon needs to be understood because little research has been done on it, then it merits a qualitative approach. Qualitative research is exploratory and is useful when the researcher does not know the important variables to examine. This type of approach may be needed because the topic is new, the topic has never been addressed with a certain sample or group of people, or existing theories do not apply with the particular sample or group under study.⁵⁹

As well as being exploratory, this thesis argues that the Quartet, including the regional context in which it operates, involves a complex web of interactions that defy elegant, mono-causal explanations. The Quartet itself involves the relations of international, state, and trans-state actors, each of which are bound by different organisational

⁵⁵ Taylor, C., "Neutrality in Political Science," in *The philosophy of social explanation*, ed. Alan Ryan (London: Oxford University Press, 1973), pp. 153-4. As cited by Richardson, J. L., "The Ethics of Neoliberal Institutionalism," in *The Oxford handbook of international relations*, ed. Christian Reus-Smit and Duncan Snidal (Oxford; New York: Oxford University Press, 2008), p. 226.

⁵⁶ Druckman argues that successful mediators identify potential ‘precipitant events’, and depart from established process to create a ‘turning point,’ which can be either positive or negative. Druckman, "Stages, Turning Points, and Crises: Negotiating Military Base Rights, Spain and the United States."

⁵⁷ These were the death of Yasser Arafat; the Israeli withdrawal from Gaza; the stroke of Ariel Sharon; the Hamas election victory and; the Mecca agreement.

⁵⁸ Bauman, "The Middle East Quartet of Mediators: Understanding Multiparty Mediation in the Middle East Peace Process", p. 16.

⁵⁹ Creswell, J. W., *Research Design : Qualitative, Quantitative, and Mixed Methods Approaches*, 2nd ed. (Thousand Oaks, Calif: Sage Publications, 2003), p. 22.

constraints and formulate and act upon policies in varying ways. Furthermore, these actors attempt to exert normative influence upon the parties to a conflict that is protracted, penetrative, and resilient to change, with strong historical, legal and geopolitical undercurrents. Consequently, the research presented in this thesis deliberately eschews theoretical explanations in favour of complex and contextual assessments of the decision-making processes of policy makers in the various Quartet member organisations.

In essence, the thesis argues that the work of Quartet cannot be assessed through any single theoretical framework until the nature and scope of its outputs and outcomes have been better established. It engages necessarily with the world of policy and practice by adopting a pragmatist ethos, and downplays theoretical explanations for individual behaviour.

Thesis Structure

The thesis structure is designed to address the research question. *Chapter One: Introduction to the Quartet* lays out the key components of the analysis, situates the research within the existing literature, outlines the methodological and analytical framework, and explains the contributions of the thesis.

The two subsequent chapters establish the factors that contributed to the formation of the Quartet. *Chapter Two: The Historical Precedents to the Quartet* contextualises the Quartet within the modern history of mediation in the Israeli-Palestinian conflict. It focuses primarily on the post-Cold War development, in each of the Quartet member organisations, of policies concerning the Israeli-Palestinian conflict, and the extent to which the Quartet itself was a departure from the diplomatic initiatives of this period. The chapter argues that the Quartet was a unique approach to the Israeli-Palestinian conflict by the Quartet powers, and that both the design and the membership of the grouping reflected historical considerations.

Chapter Three: The Formation of the Quartet examines the politics of the formation of the Quartet, including the rationale of the parties that created it, the extent to which they each had expectations from membership, and where the Quartet fitted into their organisational or national strategies in the region. It argues that personal and professional relationships contributed strongly to the composition and formation of the Quartet, and that the main driving forces for the creation of the grouping were the

second *intifada*, the 9/11 terrorist attacks and the perceived disengagement of the Bush Administration from the Middle East peace process.

The chapter argues that each of the Quartet members sought membership in order to pursue organisational objectives within the context of the Israeli-Palestinian conflict. Specifically, for Secretary of State Powell, the Quartet was a mechanism for the US State Department to re-engage with the peace process in a collaborative forum, despite the disinclination to do so of the Bush White House, without compromising on the established US role as the primary third-party within this context. Furthermore, the Quartet was a means for expanding European involvement in the Middle East peace process from the traditional approach that focused on economic development and institution building to one that also included visibility and influence within the political sphere. Russian involvement in the Quartet was an important tool for bolstering its image as a great power. From the perspective of the other Quartet members, Russia's membership also reduced the incentive for it to act as a spoiler for Quartet initiatives. Finally, the chapter argues that UN involvement in the Quartet fell exclusively under the authority of the Office of the UNSG, and did not involve directly either the General Assembly, or the Security Council.⁶⁰ The decision to enter into the Quartet was made personally by UNSG Kofi Annan, and in some ways can be explained by his personal ambition to revitalise the diplomatic involvement of the Secretary General in the Middle East peace process.

Having presented the factors that underpinned the formation of the Quartet, the remainder of the thesis establishes and evaluates its members' work in relation to the Israeli-Palestinian conflict. *Chapter Four: The General Practices of the Quartet, 2001-2011* outlines the general working practices of the Quartet members that remained consistent throughout the period of analysis. It offers general observations about the statement authorship process, and establishes the practical constraints of Quartet collective action.

The four subsequent chapters examine the outputs of the Quartet members from 2001-2011, and include discussion of the relevant developments within the context of the Middle East peace process during this period. In particular, the chapters establish the

⁶⁰ There were instances, however, when the UN Security Council legitimised and supported the actions taken by the UNSG within the context of the Quartet. For example, UNSCR 1515, adopted on 19 November 2003, supported the Roadmap for Peace in the Middle East and, by extension, the work of the UNSG.

ways in which these developments affected the ability of the Quartet members to exert influence on the parties to the conflict, and on each other. In order to avoid a reductionist approach to examining the work of the Quartet, including the inherent risk of selective bias, the analysis is organised chronologically and thematically to represent four distinctive periods that occurred within the context of the Middle East peace process from 2001-2011.

The rationale for this approach is that a comprehensive and contextual analysis of the work of the Quartet inevitably involves expansive discussion of regional developments and Quartet responses that could not be encapsulated adequately in a single chapter. The approach is also designed to avoid the selection of discrete events that would act as case studies for explaining the work of the Quartet, as seen in the works of Elgindy and Bauman, and instead to offer a more holistic and context-driven examination of the grouping.

By situating analysis of the Quartet within the dominant frames of reference within the peace process, these chapters also emphasise the effects that paradigmatic shifts in that process had on the functioning of the grouping. This approach should not imply that these shifts were discrete events, easily contained within calendar years. Instead they were clusters of interrelated and mutually enforcing events that altered the characteristics of the conflict itself and, by extension, dominated the work of actors invested in it during this period. It should also be noted that these chapters do not comment on other parallel regional events that occurred during this period, unless they impacted directly on the Middle East peace process or the work of the Quartet.⁶¹ This is partly a reflection of the specific efforts of the Quartet members to comment exclusively on the Israeli-Palestinian conflict, and partly an effort to avoid broadening the scope of the thesis beyond reasonable limits.

Finally, it must be emphasised that chapters five, six, seven and eight are largely *explanatory* in their discussion of the outputs of the Quartet from 2001-2011. In *Chapter Nine: Conclusion – The Outcomes of the Quartet, 2001-2011*, a more *evaluative* approach is adopted to establish both the strengths and limitations of the Quartet as a mechanism for pursuing individual and collective outcomes within the context of the Middle East peace process.

⁶¹ For example, these chapters do not offer in-depth discussion of the War in Afghanistan, the Iraq War, or the 2006 Israel-Lebanon war.

Accordingly, *Chapter Five: The Roadmap Process, 2002-2003* examines the work of the Quartet members within the context of international efforts to end the violence of the second *intifada*, and to address the perceived flaws of the Oslo period.⁶² It argues that despite the proactive contributions of the Quartet members towards the authorship of the Roadmap document – now synonymous with the grouping – their ability to support the implementation of the plan was hindered by the divisions within the Bush Administration and the responses of the parties to the conflict. While the authorship process acted as a catalyst for the early coordination of the Quartet members, the eventual breakdown in the implementation process produced the opposite effect.

Chapter Six: The Disengagement Process, 2004-2005 examines the work of the Quartet members within the context of the Israeli disengagement from the Gaza Strip.⁶³ It argues that Israeli Prime Minister Sharon circumvented and sidelined the Roadmap implementation process during this period, and reframed the discourse of the peace process on territorial and security issues. For the Quartet members, the disengagement process complicated efforts to restart a political process between the Israelis and the Palestinians, and active US engagement both inside and outside the grouping stifled Quartet member collaboration during this period. Consequently, the Quartet largely functioned in response to regional developments and US initiatives.

Chapter Seven: The Palestinian Divide, 2006-2007 examines the work of the Quartet members within the context of the 2006 Hamas election victory and the subsequent political and geographic schism in the Palestinian territories.⁶⁴ It argues that the Quartet's response to the Hamas election victory was the catalyst for several overlapping and interrelated developments within the Middle East peace process. This had far reaching consequences that came to define the work of the grouping. During this period, the members of the Quartet championed a strategy of political and social

⁶² Specifically, this chapter focuses on the role of the Quartet in regional developments such as the Arab Peace Initiative; Israeli 'Operation Defensive Shield'; the 24 June Rose Garden speech by US President Bush; the nomination of Mahmoud Abbas as the Palestinian Prime Minister and the politics surrounding the authorship and implementation of the Roadmap document.

⁶³ Specifically, this chapter examines the role of the Quartet in regional developments including the announcement and implementation of the Israeli disengagement from Gaza; the subsequent exchange of letters of assurance between Ariel Sharon and George W. Bush; the appointment of James Wolfensohn as the Quartet envoy to the Gaza disengagement and the politics surrounding the negotiation of the Agreement on Movement and Access.

⁶⁴ Specifically, this chapter focuses on the role of the Quartet in regional developments including the 2006 Palestinian Legislative Council elections; the Quartet's subsequent 'conditions' on the Hamas-led Palestinian Authority; the 2007 Mecca agreement and the collapse of the Palestinian Unity Government; the appointment of Tony Blair as the Quartet representative and the politics of the Annapolis conference.

isolation of Hamas that resulted in a fiscal and humanitarian crisis in the Palestinian territories. Furthermore, the Quartet members discouraged subsequent inter-Palestinian reconciliation attempts, which prolonged and intensified the domestic political divide between Fatah and Hamas. Finally, this chapter argues that the Annapolis process was facilitated by the breakdown in the Palestinian National Unity Government, and that in that context the Quartet members operated largely in support of US efforts to restart a political process between Palestinian Authority President Mahmoud Abbas and Israeli Prime Minister Ehud Olmert.

Chapter Eight: The Post-Annapolis Period, 2008-2010 examines the work of the Quartet members within the context of the post-Annapolis period. Despite early political progress, this period was characterised by both the regression of the Israeli-Palestinian bilateral relationship and the solidification of the Palestinian geographic and political divide.⁶⁵ It argues that the Quartet members worked in support of the bilateral process between Prime Minister Olmert and President Abbas, but were ultimately unable to prevent the deterioration of this process in the aftermath of both Olmert's exit from government and the breakdown in the Gaza ceasefire. In the period that followed, the Quartet members worked exclusively in pursuit of the re-establishment of direct negotiations between the parties. These efforts, however, were complicated by changes in political leaderships in the United States and Israel, and by the ramifications of events in the region. Both the parties to the conflict and the members of the Quartet were unable to escape the adverse conditions for peace making created in the preceding period, and the prospects for negotiated solution to the Israeli-Palestinian conflict diminished further.

Finally, *Chapter Nine: Conclusion – The Outcomes of the Quartet, 2001-2011* reviews and draws upon the findings of the preceding chapters to establish the strengths and limitations of the Quartet as a mechanism for delivering outcomes for its members. It concludes that from 2001-2011 the nature of the Quartet and the nature of the Israeli-Palestinian conflict both affected the work of the grouping, often simultaneously and unequally. It argues that the grouping had a limited capacity for securing collective outcomes within the context of the peace process as a result of both its internal decision-

⁶⁵ Specifically, this chapter focuses on the role of the Quartet in regional developments including the Israel-Hamas Gaza ceasefire; the final status negotiations process between Abbas and Olmert; Israeli Operation Cast Lead; the elections of Barack Obama and Benjamin Netanyahu; the US-led proximity talks and the Gaza flotilla incidents.

making structure, and US and Israeli resistance to the expansion of Quartet member involvement within the Israeli-Palestinian conflict. However, the chapter concludes that the Quartet operated as a useful mechanism for coordination and regular information sharing between its members, and that this function underpins the continuation of the grouping.

Chapter Two: The Historical Precedents to the Quartet

Experience can tell you that the Arab-Israeli conflict is a conflict that, in addition to its resilience in existence, also has resilience in documents. The amount of resolutions, maps, plans, and ideas make it a big laboratory of political science and international law.

- Abdelmonem Said Aly, President of Al-Ahram Center for Political and Strategic Studies, Cairo.¹

Equally, each partially conceived or unimplemented political initiative – from Oslo to the Roadmap to the Gaza disengagement – eventually discredited the very concept of a negotiated peace for both peoples.

- Kofi Annan, United Nations Secretary General (1997-2006).²

Introduction

The Middle East peace process is a museum of diplomacy. In the Brussels office of EEAS Middle East advisor Christian Jouret, there is an unused peace agreement for the Israeli-Palestinian conflict.³ This agreement, written by European officials after the Taba Summit in January 2001, details the positions of the parties during the talks and presents a basis for the resolution of the final status issues of the conflict.⁴ As Jouret explained:

We call it a European Deposit, which means that it's a sort of non-paper written on our own responsibility. If one day the Palestinians or the Israelis, or both, want to take it as a basis for something, it's free of charge.⁵

This peace agreement was never built upon. Instead it functions solely as a point of reference for European officials working on the MEPP, within the same milieu as developments such as the Madrid Multilaterals, the Oslo Accords and the Annapolis process.⁶

The Israeli-Palestinian conflict has many such points of reference, and actors involved in mediation are well versed in the core paradigms and precedents that have emerged in

¹ Said Aly, A., President of Al-Ahram Center for Political and Strategic Studies, interview with the author, Cairo, Egypt, November, 2011.

² Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 308.

³ Jouret, C., Middle East Advisor, European External Action Service (EEAS), interview with the author, Brussels, November, 2011.

⁴ The plan, sometimes referred to as the 'Moratinos Document' was authored by the EU's Special Envoy to the peace process, Miguel Moratinos who, later that year, acted as the European Union's first envoy to the Quartet. The core positions of the Palestinians and the Israelis on issues such as the status of Jerusalem, borders, narratives and refugees are summarised and rectified in the document. For analysis and full text, see: Eldar, A., "The peace that nearly was at Taba," *Haaretz*, 12 February, 2002.

⁵ Jouret. Interview with the author, Brussels, November, 2011.

⁶ EEAS Official. Interview with the author, Brussels, November, 2011.

modern history.⁷ As a UN official noted, ‘you create over time, and this is what most peace processes are like, sediment, or layer upon layer of different normative instruments.’⁸ However, the danger of accumulating these instruments is that ‘there are now so many lying around the ruins of this conflict, that the parties can play games all the time.’⁹

For the Quartet members, the selection of specific reference points was designed to carry normative significance, even in cases where these reference points were contested by the parties to the conflict. For example, the first Quartet statement, issued in April 2002, referred to United Nations Security Council Resolutions 242, 338, 1373, 1397, 1402 and 1403, the Madrid Terms of Reference, the Mitchell Report, the Tenet Plan and the Arab Peace Initiative.¹⁰ Former European envoy to the Quartet, Marc Otte explained this process:

In this conflict, like in many others, you have a pile of UN resolutions that have accumulated along the years. There are incantations in multilateral diplomacy that are obligatory. Everyone has to have their reference, and it’s still useful, if only so that someone can get up from time to time and say ‘you don’t fulfil your obligations.’¹¹

While the notion of the Quartet itself, an informal mechanism for coordinating approaches to the MEPP, was unique within the context of the Israeli-Palestinian conflict, the members of the grouping actively incorporated and promoted initiatives from the preceding periods that had mixed results.¹² In essence, this approach reflected a pragmatic understanding among the members that neither the grouping itself nor the work of its composite organisations could exist in isolation from historical context.

This chapter seeks to answer the question, *what were the historical precedents to the formation of the Quartet?*

⁷ Many such reference points are built upon previous initiatives, and the boundaries between them can become blurred. For example, former UNSG Kofi Annan recalled a press conference in 2002 in which his spokesperson declared that: ‘The US mediator, General Anthony Zinni, has been trying to get the two sides to begin the Tenet process; which is to lead back to the Mitchell understandings; which is to lead back to the negotiating table. But they’re still stuck in the pre-Tenet stage while the violence goes on.’ See: Annan, *Interventions: A Life in War and Peace*, p. 278.

⁸ UN official. Interview with the author, Jerusalem, November, 2011.

⁹ Ibid.

¹⁰ The Quartet’s reference to the Arab Peace Initiative was an effort to promote Israeli consideration of the plan, despite its cold reception in Jerusalem. *Chapter Five: The Roadmap Process* expands on these dynamics. For the Quartet statement, see: US Department of State, “Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana,” Madrid, Spain: 10 April, 2002.

¹¹ Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

¹² These results are evidenced in the layering of the resolutions. For example, UNSCR 338 calls for compliance with UNSCR 242, and UNSCR 1403 calls for compliance with UNSCR 1402.

It argues that the Quartet formed as a consequence of both the historical experiences within the Middle East peace process of its member organisations, and the evolution of the Israeli-Palestinian conflict. It argues that the formation of the grouping reflected the culmination of these experiences.

It should be noted that this chapter is not intended as a comprehensive history of the Arab-Israeli conflict. Consequently, it presupposes knowledge of the core dynamics and key historical developments of the conflict, especially during the Cold War period. To approach this topic in any other way would be to repeat unnecessarily the work of other authors, and to introduce more material than is necessary to establish the core hypotheses of the chapter.¹³

Ultimately, this chapter functions as a precursor to *Chapter Three: The Formation of the Quartet*, and charts the evolution of the Quartet members as foreign policy actors within the recent history of mediation in the Israeli-Palestinian conflict. In addressing the key precedents to the formation of the group, this chapter presents the Quartet as an original attempt by its members to respond to the deficiencies of the processes and initiatives that preceded it.

The chapter is divided into two sections, each approaching the historical precedents of the Quartet from a different perspective. Section One examines the evolution of the individual Quartet members as third-party actors within the Middle East peace process. It argues that each of the Quartet members adapted their involvement in the Israeli-Palestinian conflict in response to regional and organisational developments, and that these developments subsequently underpinned the formation and operation of the Quartet. In particular, this section emphasises the importance of the post-Cold War period for the evolution of the Quartet members as foreign policy actors. Section Two examines the key peace initiatives of the post-Cold War period, and establishes the extent to which these initiatives acted as precedents to the formation of the Quartet. It argues that the Madrid Multilaterals and the Oslo process shaped the experiences of the

¹³ For thorough analysis of the history and functioning of the Arab-Israeli conflict, see: Quandt, W. B., *Peace process: American Diplomacy and the Arab-Israeli Conflict Since 1967 - Revised Edition* (Washington, DC: Brookings Institution Press, 2001). Said, E. W., *The Question of Palestine* (New York: Vintage Books, 1980). Hirst, D., *The Gun and the Olive Branch: The Roots of Violence in the Middle East* (London: Faber and Faber, 1984). Morris, B., *Righteous Victims: A History of the Zionist-Arab Conflict, 1881-2001* (New York: Vintage Books, 1999).

Quartet members in relation to the Israeli-Palestinian conflict, and that subsequent efforts by the grouping reflect this.

There are two reasons for the post-Cold War focus of this chapter. Firstly, the Cold War period in the Middle East was characterised by US-Soviet strategic competition that stifled international cooperation vis-à-vis the Arab-Israeli conflict – especially in the UN Security Council.¹⁴ After the end of the Cold War, regional polarisation was diminished and US primacy within the context of the peace process was solidified. These changes to the regional and international order facilitated developments within the context of the peace process that had previously been impossible. It was within this context that the Quartet formed. Secondly, both the members of the Quartet and the parties to the conflict evolved substantially during the post-Cold War period. In particular, this period saw the formation of the European Union, the transition from the Soviet Union to the Russian Federation, and the evolution of the role of the UN Secretary General as a foreign policy actor. The Quartet could not have existed during the Cold War period, both because international cooperation was problematic during this period and because the actors themselves did not exist in their present forms.

The Quartet Members and the Arab-Israeli Conflict

I believe the failure to achieve an Arab-Israeli peace is a core source of frustration and instability in the region. This failure also remains for the UN a deep internal wound as old as the organisation itself, given that the Arab-Israeli conflict began at the very inception of the UN – a painful and festering sore consequently felt in almost every intergovernmental organ and Secretariat body.

- Kofi Annan, United Nations Secretary General (1997-2006).¹⁵

No variable within the context of the Middle East peace process has remained constant. The conflict underwent paradigmatic shifts throughout its history, and both regional and international actors have varied their subsequent responses in accordance with their own interests, and their national or organisational development as actors within this context.

The Role of the United States

The evolution of the US role in the Arab-Israeli conflict was characterised by both Cold War strategic competition and by the deepening of the US-Israel relationship.¹⁶ While

¹⁴ For a discussion of US and Soviet veto power during the Cold War period, see: Sarsar, S., "The Question of Palestine and United States Behavior at the United Nations," *International Journal of Politics, Culture, and Society* 17, no. 3 (2004).

¹⁵ Annan, *Interventions: A Life in War and Peace*, p. 254.

the United States and the Soviet Union supported the 1947 UN partition plan, the subsequent period was marked by US efforts to oppose or counterbalance Soviet influence in the region.¹⁷ The ideological and strategic competition of the Cold War period made US-Soviet relations in the Middle East a zero sum game.¹⁸ However, both the United States and the Soviet Union prioritised crisis prevention during this period, and sought to avoid an escalating conflict in the region.¹⁹ Consequently, US-Soviet rivalry was manifested in competition between regional proxies, and the Arab-Israeli conflict became a key dividing line between the superpowers. For example, when US support for Israel negatively impacted US relations with the emerging Arab nationalist movements of the post-colonial period, the Soviets sought to amplify this trend.²⁰

The solidification of the US-Israel relationship accelerated dramatically in the period following the June 1967 war.²¹ During this period, US policymakers saw Israel both as a strong ally in the region, and as a potential counterbalance to the Soviet-supported Arab powers.²² In the post-1967 period, as a result of the escalating cost of modern weapons and its recent material losses, Israel began to increase its requests for military and economic aid from the United States.²³ As US financial and military support for

¹⁶ For a concise overview of this evolution, see: Baxter, K. and Akbarzadeh, S., *US Foreign Policy in the Middle East* (New York: Routledge, 2008), pp. 136-59.

¹⁷ Former State Department Official John Campbell encapsulated early US concerns regarding Soviet expansion in the Middle East when he argued that: 'The entrenchment of Soviet power in that strategic region would bring a decisive shift in the world balance, outflanking NATO. Soviet control of Middle Eastern oil could disrupt the economy of the free world. And the triumph of communism in the heart of the Islamic world could be the prelude to its triumph through Asia, Africa and Europe.' Campbell, J. C., *Defense of the Middle East: Problems of American policy*, [1st] ed. (New York: Harper, 1958), p. 4.

¹⁸ For an in-depth discussion of the key areas of strategic competition between the US and the Soviet Union during the Cold War period, see: George, A. L., "US-Soviet Global Rivalry: Norms of Competition," in *New Issues in International Crisis Management*, ed. Gilbert R. Winham (Boulder: Westview Press, 1988).

¹⁹ However, Gross Stein argued that the superpowers both showed a limited capacity to restrain regional allies from escalating confrontations. See: Gross Stein, J., "The Managed and the Managers: Crisis Prevention in the Middle East," in *New Issues in International Crisis Management*, ed. Gilbert R. Winham (Boulder: Westview Press, 1988).

²⁰ Hudson, M. C., "To Play the Hegemon: Fifty Years of US Policy toward the Middle East," *Middle East Journal*, 50, no. 3 (1996): p. 331.

²¹ The 1967 conflict, which included Jordan and Syria, effectively superseded the status quo based on the armistice lines of 1949. By the end of the war, in which a dominant Israeli military routed the Arab forces in six days, Israel was occupying the Gaza Strip, the Sinai Peninsula, the West Bank, East Jerusalem and the Golan Heights. Israel for the first time was left in control of 100 percent of historical Palestine. For an in-depth analysis of Israeli decision-making during this period, see: Bregman, A., *Israel's Wars: A History Since 1947*, Third ed. (New York: Routledge, 2010), pp. 62-102.

²² Hudson, "To Play the Hegemon: Fifty Years of US Policy toward the Middle East," p. 334.

²³ Lewis, S. W., "The United States and Israel: Evolution of an Unwritten Alliance," *Middle East Journal* 53, no. 3 (1999): p. 367.

Israel grew, so too did the US insistence that it should take the lead on matters pertaining to the Arab-Israeli conflict.²⁴

This trend was exemplified by the prominent role played by US Secretary of State Henry Kissinger in the negotiations between the parties to the 1973 Arab-Israeli war. Indeed, this period marked the first time that the United States gave Israel written assurances of its support for Israel's security.²⁵

The end of the Cold War largely removed the strategic basis of US-Russia rivalry in the Arab-Israeli context. Established as the global superpower, American policy-makers and academics began to speculate about a 'new world order,' in which the triumph of Western liberalism would remove the ideological barriers that had perpetuated conflict across the globe.²⁶ This coincided with the rise of theories of globalisation that presented the post-Cold War world as an increasingly interconnected global community, in which instability could no longer be contained by state borders.²⁷ No longer dictated by Soviet containment, American national priorities in the Middle East became increasingly focused on the promotion of bilateral relationships, and on the defence of strategic and economic interests from globalised threats.²⁸

Within that context, US-Israel strategic and military cooperation also deepened, including joint development of weapons systems, the formation of a joint strategic planning committee, and billions of dollars in military aid.²⁹ In the subsequent period, the security of Israel became a central pillar of US policies in the Middle East, and the closeness of the US-Israel relationship cemented the United States as the preferred intermediary of both the Palestinians and the Israelis.³⁰ As the following chapters demonstrate, US primacy within the context of the Middle East peace process was an

²⁴ US grants to Israel from 1952-1989 totaled approximately \$53 billion. Khalidi, W., "The Palestine Problem: An Overview," *Journal of Palestine Studies* 21, no. 1 (1991): p. 10.

²⁵ For an in-depth examination of Kissinger's diplomatic involvement during this period, see: Quandt, *Peace process: American Diplomacy and the Arab-Israeli Conflict Since 1967 - Revised Edition*, pp. 98-130.

²⁶ Fukuyama, F., *The End of History and the Last Man* (New York: Maxwell Macmillan International, 1992).

²⁷ Korany, B., "The Middle East Since the Cold War: Torn Between Geopolitics and Economics," in *International Relations of the Middle East* ed. L Fawcett (Oxford; New York: Oxford University Press, 2009), p. 61.

²⁸ Milton-Edwards, B., *Contemporary Politics in the Middle East*, 2nd ed. (Cambridge, UK; Malden, MA: Polity, 2011), p. 266.

²⁹ Lewis, "The United States and Israel: Evolution of an Unwritten Alliance," p. 372.

³⁰ Kurtzer, D., Former United States Ambassador to Israel, interview with the author, Princeton, NJ, October, 2011.

important aspect of both the formation of the Quartet, and its subsequent work as a grouping.

The Role of the Soviet Union and Russia

Soviet interests in the Middle East during the Cold War period were characterised by efforts to counter US influence in the region, and to contain or prevent the emergence of strategic and other challenges along their southern border – specifically in Turkey, Iran and Afghanistan.³¹ The Soviets sought to increase their influence in the Arab world, and developed close relations with a number of radical Arab nationalist regimes, including Egypt, Iraq, Syria and Libya.³² With the US-Israel relationship strengthening, Soviet strategy in the region was to ‘supply arms to Arab states sufficiently so that they could – within limits imposed by Moscow and without prejudicing wider Soviet interests – move towards achieving some measure of strategic capability to resist Israel.’³³

The resulting regional dichotomisation complicated international efforts to forge a response to the June 1967 war, with the United States and the Soviet Union acting at cross purposes.³⁴ These divisions complicated the creation and passage of UNSCR 242, and resulted in ambiguities and deficiencies in the resolution that have produced lasting consequences.³⁵ It should be noted that despite these deficiencies, in the post-1967 period, UNSCR 242 has taken on a near canonical status within the discourse of the MEPP – especially by groups such as the Quartet. Of the 47 Quartet statements between

³¹ Halliday, F., *The Middle East in International Relations: Power, Politics and Ideology* (Cambridge, UK; New York: Cambridge, 2005), p. 98.

³² Freedman, R. O., "Israeli-Russian Relations since the Collapse of the Soviet Union," *Middle East Journal* 49, no. 2 (1995): p. 233.

³³ Herrmann, R. K., "Russian Policy in the Middle East: Strategic Change and Tactical Contradictions," *Middle East Journal* 48, no. 3 (1994): p. 463.

³⁴ In response to the 1967 war, the Soviet Union – siding with the Arab states – argued in the UN for a robust resolution that condemned Israel and called for its withdrawal from the territories, but was unable to overcome American resistance in both the Security Council and the General Assembly. The United States initially objected to Security Council action on the matter and advocated direct negotiations between the parties.

³⁵ UNSCR 242 emphasised the ‘inadmissibility of the acquisition of territory by war,’ and is often referred to as the ‘land for peace’ resolution. However, the resolution lacked specificity regarding both the exact territorial withdrawals required, and the nature of the proposed resolution of the ongoing Arab-Israeli dispute. Furthermore, this resolution made no reference to Palestinian self-determination, instead framing Palestinian involvement within the context of a general reference to a ‘just solution’ to the refugee issue. For the full text of UNSCR 242, see: United Nations Security Council, "Resolution 242 " S/RES/242: 22 November, 1967. For an in-depth discussion of the deficiencies and legacy of the resolution, see: Falk, R., "Forty Years after 242: A "Canonical" Text in Disrepute?," *Journal of Palestine Studies* 37, no. 1 (2007). See also: Dajani, O. M., "Forty Years without Resolve: Tracing the Influence of Security Council Resolution 242 on the Middle East Peace Process," *Journal of Palestine Studies* 37, no. 1 (2007).

April 2002 and January 2011, 42 mention, either directly or indirectly, United Nations Security Council Resolution 242.³⁶

During the Cold War period, the Soviets used the prospect of re-establishing diplomatic relations with Israel as a bargaining chip for gaining concessions from the Israelis.³⁷

With the rise of Mikhail Gorbachev to the leadership of the USSR in 1985, Soviet policy regarding the Middle East, and the Cold War more generally began to shift.³⁸

Soviet Policy during the first Palestinian *intifada*,³⁹ while still supportive of the PLO, began to soften in regard to Israel.⁴⁰ This process culminated in the 1991 revocation of UNGA Resolution 3379, determining that 'Zionism is a form of racism and racial discrimination', and the consequent warming of relations between Israel and the Soviet Union.⁴¹

With the collapse of the Soviet Union, the Russian Federation began to court the conservative Arab monarchies of the Persian Gulf, seeking capital investment and markets for advanced weaponry.⁴² This included the creation of strong trade relations with Iran, which – especially with the recent sale of nuclear technology – has remained a source of Russo-American strain in the region.⁴³ However, in the post-Soviet era, Russia no longer positioned itself in direct opposition to US interests in the region, and pursued a strategy based more on pragmatism than ideological competition.⁴⁴

³⁶ Indirect references include mentions of other peace plans that use UNSCR 242 as a term of reference, such as the Roadmap document. See *Chapter Four: The General Practices of the Quartet* for further observations regarding the Quartet statements in aggregate.

³⁷ Herrmann, "Russian Policy in the Middle East: Strategic Change and Tactical Contradictions," p. 463.

³⁸ Dannreuther, R., *The Soviet Union and the PLO* (Basingstoke: Macmillan, 1998), p. 143.

³⁹ The Palestinian *intifada* that lasted from 1987-1991 represented a social and political revolution for the Palestinian community. While complex and multifaceted, broadly speaking it encompassed a large scale resistance movement involving Palestinians in the Gaza Strip, the West Bank, Jerusalem and various refugee camps seeking to disengage from the structures of the Israeli occupation, and to move towards Palestinian political independence. For Arafat and the Fatah, the *intifada* presented an opportunity to not only continue their transition from armed resistance to non-violent means, but also to abandon the goal of recovering historic Palestine in its entirety and to shift towards a pursuit of a two state solution. This process culminated in the PLO recognition of Israel, and participation in the Oslo process after the end of the Cold War.

⁴⁰ Freedman, "Israeli-Russian Relations since the Collapse of the Soviet Union."

⁴¹ United Nations General Assembly, "Resolution 3379: Elimination of All Forms of Racial Discrimination," 2400th Plenary Meeting, : 10 November, 1975.

⁴² Herrmann, "Russian Policy in the Middle East: Strategic Change and Tactical Contradictions," p. 455.

⁴³ Freedman, R. O., "Russian Policy toward the Middle East: The Yeltsin Legacy and the Putin Challenge," *Middle East Journal* 55, no. 1 (2001): p. 63.

⁴⁴ Freedman, R. O., Professor at Johns Hopkins University, interview with the author, Baltimore, USA, October, 2011.

After formally re-establishing relations with Israel in 1991, one week before the Madrid Multilaterals began,⁴⁵ the flow of Russian Jewish immigrants increased dramatically, along with Russian trade with Israel.⁴⁶ By the end of that decade, Israel was Russia's leading trade partner in the region, and home to one million Russian-speaking former residents of the USSR.⁴⁷

For the Israelis, Russia became an important strategic ally, not only because of the cultural ties that resulted from Russian immigration, but because the Russians had inherited the Soviet seat on the UN Security Council.⁴⁸ Furthermore, throughout the 1990s, Russia sought to cultivate relationships with a diverse range of regional actors, including Hamas, Hezbollah, Israel and the Arab governments. This was especially the case when these relationships advanced the interests of Kremlin-connected Russian businesses, in particular the petroleum, arms, and nuclear reactor industries.⁴⁹

The willingness to trade and negotiate with a diverse range of regional actors was viewed in Moscow as an enhancement to Russia's potential for developing a more influential mediatory role in the Middle East and for re-establishing Russian political prestige on the world stage. However, the resolution of the Israeli-Palestinian conflict from the Russian strategic perspective was less important than controlling any escalation in regional violence and protecting Russian economic interests.⁵⁰

The Role of the European Union

The post-colonial legacy factored heavily into relations between European and Middle Eastern actors in the aftermath of the Second World War. In particular, France and England were confronted with numerous anti-imperialist movements in the region that were bolstered by the rise and spread of Arab nationalism.⁵¹ Indeed, part of the British disentanglement from the region in the post-colonial period included referring the question of the mandate for Palestine to the newly formed United Nations in 1947. This

⁴⁵ For an in-depth analysis of the genesis and execution of the Multilaterals process, see: Peters, J., *Pathways to Peace: The Multilateral Arab-Israeli Peace Talks* (London: Royal Institute of International Affairs, 1996).

⁴⁶ Freedman, "Russian Policy toward the Middle East: The Yeltsin Legacy and the Putin Challenge," p. 63.

⁴⁷ Ibid.

⁴⁸ Freedman, "Israeli-Russian Relations since the Collapse of the Soviet Union," p. 234.

⁴⁹ Katz, M. "Major World Powers and the Middle East." *Symposium by the Middle East Policy Council*, United States Capitol Building, Washington, DC, 23 October, 2009. p. 14

⁵⁰ Herrmann, "Russian Policy in the Middle East: Strategic Change and Tactical Contradictions," p. 473.

⁵¹ Hollis, R., "Europe in the Middle East," in *International Relations of the Middle East*, ed. L Fawcett (Oxford; New York: Oxford University Press, 2009).

process culminated in the UN partition plan (UNGA Resolution 181),⁵² the Israeli Declaration of Independence, and the first Arab-Israeli war in 1948.⁵³

The 1948 war divided the six European Community (EC) members.⁵⁴ Commenting later on the European division over the issue, German Chancellor Kiesinger recalled feeling 'ashamed' that at the moment the war had broken out the European powers 'could not even agree to talk about it.'⁵⁵ The subsequent period saw the recession of European influence in the conflict at the same time as internal European cooperation and integration was increasing.

At the 1961 Hague Summit, the structure of European Political Cooperation (EPC) was developed, and it was through this structure that the first European common positions on the Arab-Israeli conflict were adopted.⁵⁶ The Schuman Report of 1971 emphasised the significance of UNSCR 242 as the basis for the resolution of the conflict, and on 6 November 1973, the nine Member States broke explicitly with the US vision for peace and called for the realisation of the 'legitimate rights' of the Palestinians.⁵⁷

This positional shift was a corollary of the development of Euro-Arab dialogue during this period, which saw a strengthening of political and economic ties between the European Community and the Arab states.⁵⁸ Consequently, in the London Declaration

⁵² See United Nations General Assembly, "Resolution 181 (II): Future Government of Palestine," A/RES/181(II): 29 November, 1947.

⁵³ Saikal, A., "The Role of the United Nations in the Middle East," in *Peacekeeping and peacemaking : towards effective intervention in post-Cold War conflicts*, ed. Tom Woodhouse, Robert H. Bruce, and Malcolm Dando (Houndsmills, Basingstoke, Hampshire :New York: Macmillan; St. Martin's Press, 1998).

⁵⁴ Germany sought to present a 'neutral' position, but was closer to the Israeli position than the Arab position. Italian governing circles were divided. Belgium emphasised the importance of the United Nations for resolving the conflict, and the Netherlands openly supported Israel. Finally, France condemned Israel at the United Nations, with French President Charles de Gaulle stating that: 'The Israeli occupation of the territories it captured cannot continue without oppression, repression, expulsions, nor without the emergence over time of a resistance that it will then label terrorism.' See: Rondot, P., "France and Palestine: From Charles de Gaulle to Francois Mitterand," *Journal of Palestine Studies* 16, no. 3 (1987): p. 89. For discussion of the varying European positions during this period, see: Greilsammer, I. and Weiler, J., "European Political Cooperation and the Palestinian-Israeli Conflict: An Israeli Perspective," in *European foreign policy-making and the Arab-Israeli conflict*, ed. David Allen and Alfred Pijpers (The Hague: M. Nijhoff, 1984).

⁵⁵ Greilsammer and Weiler, "European Political Cooperation and the Palestinian-Israeli Conflict: An Israeli Perspective," p. 131.

⁵⁶ For an examination of the evolution of European declaratory policy regarding the Arab-Israeli conflict, see: Peters, J., "Europe and the Israel-Palestinian Peace Process: The Urgency of Now," *European Security* 19, no. 3 (2010).

⁵⁷ Aoun, E., "European Foreign Policy and the Arab-Israeli Dispute: Much Ado About Nothing?," *European Foreign Affairs Review* 8, no. 3 (2003): p. 291.

⁵⁸ Hatuqa, D., "European Foreign Policy and the Israeli-Palestinian Conflict," Nice, France: Institut Europeen Des Hautes Etudes Internationales, 2003, p. 17.

in June 1977, the EC leaders extended their previous position by acknowledging that the Palestinian people had a right to a homeland, and that any negotiations should include Palestinian representatives.⁵⁹

For the European Community, the subsequent Camp David Accords (from the negotiations of which their members were excluded) presented an obstacle to the Euro-Arab dialogue. On 22 November 1978, the EC Ministers issued a statement that expressed support for 'President Sadat's bold initiative.'⁶⁰ In response, the Arab states, which had ended Egypt's participation in the Arab League, suspended dialogue with the EC. The EC statement also strained the transatlantic relationship, as it emphasised that the process should include the creation of a homeland for the Palestinians, and advocated the inclusion of the PLO in Israeli-Palestinian dialogue.⁶¹

This form of European declaratory politics continued with the 1980 Venice Declaration, in which the European Council leaders, despite resistance from Israel and the United States, stated that the goal of negotiations should be the establishment of two separate states, Israel and Palestine.⁶² The declaration also asserted that the EC would 'not accept any unilateral initiative designed to change the status of Jerusalem,' and that the Israeli settlements on Arab territory in the West Bank were 'illegal.'⁶³

Thus, during the Cold War period, European powers laid the foundations for the formation of the European Union, and established, through an emerging pattern of declarations, a common position in regard to the Israeli-Palestinian conflict. In a continuation of this process, the post Cold War period saw the solidification of European political structures, and the development of common foreign policy mechanisms.

The 1992 Maastricht Treaty transformed the European Community into the European Union, and included the creation of its three central pillars: the European Community (EC) pillar, the Common Foreign and Security Policy (CFSP) pillar, and the Justice and Home Affairs (JHA) pillar. Broadly speaking, the CFSP placed responsibility for

⁵⁹ Gianniou, M. "The Policies of the Mediterranean EU Countries towards the Israeli-Palestinian Conflict: Leaders or Followers?" *The Euro-Mediterranean Partnership (EMP): Perspectives from the Mediterranean EU countries*, Rethimnon, Crete, 25-27 October 2007.

⁶⁰ Hatuqa, "European Foreign Policy and the Israeli-Palestinian Conflict," p. 18.

⁶¹ Aoun, "European Foreign Policy and the Arab-Israeli Dispute: Much Ado About Nothing?," p. 291.

⁶² Hatuqa, "European Foreign Policy and the Israeli-Palestinian Conflict," p. 18.

⁶³ Ibid.

common European external relations under the control of the European Council, composed of representatives of the Union's member governments. However, despite ceding certain aspects of sovereignty as part of membership, each state in the European Union remained free to be an independent and distinct foreign policy actor. In an attempt to harmonise the policies of the member states, the post of High Representative (HR) for the CSFP was created by the Amsterdam Treaty of 1997.⁶⁴

The official role of the HR was to represent and assist the Presidency of the European Council, which rotated every six months. However, tensions over jurisdiction existed not only between the HR and the EU Presidency, but also between the European Council and the European Commission.⁶⁵ While this process was streamlined later,⁶⁶ throughout the 1990s, the European Union sought to play a more active political role in the Middle East, and stressed the primary importance that a peaceful settlement of the Israeli-Palestinian conflict would have for the political evolution, security policies and economic development of the wider region. Without an adequate strategy to address this conflict, the Europeans argued there would be little chance of dealing with other problems in the Middle East.⁶⁷

In 1996, the new post of 'Special European Envoy to the Middle East peace process' was created, and Miguel Moratinos was appointed to fill the position. The special envoy was mandated to:

...establish and maintain close contact with all the parties to the peace process; to observe peace negotiations between the parties if and when requested; to monitor the implementation of international agreements reached between the parties; and to monitor actions by either side which may prejudice the outcome of permanent status negotiations.⁶⁸

At the same time, the EU continued to develop a broader strategy for resolving the conflict that combined strong declarations with more concrete financial and economic

⁶⁴ Crowe, B., "A Common European Foreign Policy after Iraq?," *International Affairs* 79, no. 3 (2003): p. 533.

⁶⁵ Ibid.: p. 541.

⁶⁶ The 2007 treaty of Lisbon amalgamated the HR for CFSP and the European Commissioner for External Relations into a single position, the High Representative of the Union for Foreign Affairs and Security Policy. This development is discussed further in *Chapter Three: The Formation of the Quartet*. For an overview of European institutional development in relation to the Israeli-Palestinian conflict, see: Siniver, A., "The EU and the Israeli-Palestinian Conflict," in *The European Union as a Global Conflict Manager*, ed. Richard G. Whitman and Stefan Wolff (New York: Routledge, 2012).

⁶⁷ Perthes, V., "America's 'Greater Middle East' and Europe: Key Issues for Dialogue," *Middle East Policy* 11, no. 3 (2004): p. 92.

⁶⁸ Hatuqa, "European Foreign Policy and the Israeli-Palestinian Conflict," p. 30.

assistance. In the period 1993–2000, the EU and its member states were the largest donors of financial and technical aid to the Palestinian Authority (PA) as well as to the MEPP in general.⁶⁹ While this period saw Europe emerge as a more coherent strategic actor in relation to the Israeli-Palestinian conflict, US primacy within this context remained unchallenged. As Dannreuther argued:

Europe cannot realistically be expected to supplant the role of the United States, which has the political and military capabilities that Europe lacks. However, conversely, the strengths that Europe possesses, such as greater economic penetration and its more intensive relations with some of the Arab parties to the dispute, make it a partner that the United States has increasingly come to realize it cannot ignore and marginalize as it did during the Cold War.⁷⁰

As the subsequent chapter demonstrates, the European role in the Quartet exemplified this development.

The Role of the United Nations Secretary General

The Arab-Israeli conflict both shaped and paralysed the United Nations. Former Undersecretary General of the UN, Brian Urquhart, argued that the role of the UN in critical situations was pioneered in Palestine, where the organisation was shaped by efforts to 'contain and limit conflict, to help the victims of conflict and to create conditions for a settlement.'⁷¹ For example, the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA)⁷² was created prior to the UN High Commission on Refugees (UNHCR), and the UN's first peacekeeping force, the United Nations Truce Supervision Organisation (UNTSO), was formed in May 1948 to monitor ceasefires and support the armistice agreement of 1949. Furthermore, the United Nations Emergency Force (UNEF) was formed during the Suez Crisis as a way to prevent the regional conflict from triggering a confrontation between East and West.

⁶⁹ Asseburg, M., "The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership," *Mediterranean Politics* 8, no. 2 (2003): p. 175.

⁷⁰ Dannreuther, R., "The Middle East: Toward a Substantive European Role in the Peace Process?," in *European Union Foreign and Security Policy: Towards a Neighbourhood Strategy*, ed. Roland Dannreuther (London; New York: Routledge, 2004), p. 153.

⁷¹ Urquhart, B., "The United Nations in the Middle East: A 50-Year Retrospective," *Middle East Journal* 49, no. 4 (1995): p. 573.

⁷² For an in-depth analysis of the Palestinian refugee issue, including the role of UNRWA, see: Bowker, R., *Palestinian Refugees: Mythology, Identity, and the Search for Peace* (Boulder; London: Lynne Rienner, 2003).

The removal of these forces, and the war that ensued, prompted reflection on the role of United Nations peacekeeping forces.⁷³

In the context of the Israeli-Palestinian conflict, the United Nations is not a unitary actor. As Thakur argues:

There is no such thing as the United Nations. Instead, there are several United Nations, each with its own balance of composition and political interests. The UN Security Council, the General Assembly and the International Court of Justice are the geopolitical, normative and legal centres of gravity respectively. The political masters are member states, not UN officials, not even the SG.⁷⁴

Throughout the Cold War, in the Security Council in particular, US-Soviet competition stymied efforts to reach consensus on issues of global security – including the Palestinian question.⁷⁵ Between 1946 and 1995, the United States used its veto 70 times, while the Soviet Union used its veto 121 times.⁷⁶

The Cold War polarisation of the United Nations decision-making bodies contributed to the development of the role of the United Nations Secretary General. Within this policy vacuum, successive Secretaries General sought to enhance their involvement with peacekeeping and mediation efforts, and to create a global network of envoys and special representatives under the undefined auspices of the UNSG's 'good offices' role.⁷⁷ This process resulted in the Office of the Secretary General having 'little power, but considerable influence.'⁷⁸

The end of the Cold War produced a rapid expansion in the field of conflict resolution within the United Nations. In particular, it led to the emergence of numerous improvised

⁷³ According to Urquhart, the removal of the UNEF forces by Egypt made two things clear: 'The first was that the presence of a small, lightly armed peace-keeping force of some 1,200 effectives on a 300-mile front was far more important to peace in the Middle East than anyone had realized. The second was that a peace-keeping force, based on the consent of the host countries and with no military mandate or capacity, can easily be brushed aside by a determined government.' Urquhart, "The United Nations in the Middle East: A 50-Year Retrospective," p. 577.

⁷⁴ Thakur, R. C., *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect* (Cambridge, UK; New York: Cambridge University Press, 2006), p. 321.

⁷⁵ In 1982, with the Israeli siege of Beirut continuing unabated, a UN Security Council resolution calling on Israel to let pass humanitarian supplies was vetoed by the United States on the grounds that it was 'unbalanced.' Said, E. W., "Reflections on Twenty Years of Palestinian History," *Journal of Palestine Studies* 20, no. 4 (1991): p. 11.

⁷⁶ Sarsar, "The Question of Palestine and United States Behavior at the United Nations," p. 460.

⁷⁷ The good offices role of the UNSG empowers the Secretary General to use 'other peaceful means of their own choice' to achieve the peaceful settlement of conflicts. As Thakur argues, for the Secretary General, this can 'very helpfully mean almost anything.' Thakur, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, p. 21.

⁷⁸ *Ibid.*, p. 320.

ad hoc diplomatic arrangements that sought to address persistent conflicts across the globe.⁷⁹ As Whitfield summarises:

Between 1987 and 1994 the number of conflicts in which the United Nations was actively involved in peacemaking nearly trebled, the resolutions passed by the Security Council on an annual basis quadrupled, and peacekeeping operations jumped from five to seventeen. Troop deployment increased from fewer than 10,000 to more than 73,000, and the annual budget for peacekeeping rose from \$230 million to \$3.6 billion.⁸⁰

Within this context, the UNSG utilised the provisions of Article 99 of the UN charter, which allowed the Secretary General to bring to the attention of the Security Council ‘any matter which in his opinion may threaten the maintenance of international peace and security.’⁸¹ In order to establish what exactly constituted such a threat, the Secretary General was authorised to use broad discretion, including the formation of fact finding missions, and the use of informal diplomatic activity.

Consequently, during the early 1990s, Secretary General Boutros Ghali began to establish groupings that would later come to be known as ‘friends of the Secretary General.’⁸² These groups involved regional actors meeting regularly and collaborating with the UN Secretary General on a particular issue in order to reach common agreement within an informal structure.⁸³

The operational assumption of such groups was that the Secretary General would help to legitimise any decisions that emerged, and act as an unofficial leader and go-between. As Boutros Ghali explained:

⁷⁹ Whitfield, T., *Friends Indeed?: The United Nations, Groups of Friends, and the Resolution of Conflict* (Washington, DC: United States Institute of Peace Press, 2007), p. 48.

⁸⁰ *Ibid.*, p. 30.

⁸¹ The Charter of the United Nations was signed on 26 June 1945, and can be accessed at <http://www.un.org/en/documents/charter/> [Last accessed 4 January 2014]

⁸² de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

⁸³ Credited with coining the term, and for establishing the first friends of the SC groups in El Salvador, former United Nations Special Coordinator for the peace process Alvaro de Soto explained the emerging phenomena: ‘What I did was extrapolate a long standing practice, with which I was very familiar as a Peruvian diplomat at the UN, which is that frequently the President of the General Assembly, or the chairman of one of the committees, when faced with an intractable situation that he wants to defuse, or with a big issue, he gathers around the table, informally, without any written terms of reference, a group of what he calls ‘friends’, and tells them that “you’re my friends, you’re in an individual capacity, and you don’t necessarily speak on behalf of your respective organisations.” Now everybody understands that there are limits to this arrangement, diplomats aren’t bipolar, and that they continue to represent their government. But still, they go along with this fiction, in order to see whether you can tease out some sort of common ground.’ *Ibid.*

The Secretary General has the mandate from the relevant inter-governmental body and must remain in the lead. The members of the 'Friends' group have agreed to support the Secretary General at his request. If they take initiatives not requested by the Secretary General there is a risk of duplication or overlapping of efforts which can be exploited by recalcitrant parties.⁸⁴

Despite the freedoms afforded by Article 99, the Secretary General does not have the luxury to act in isolation from the power dynamics of world politics, especially as the representative of an organisation based on the principle of state sovereignty. As the next chapter demonstrates, the role of the Secretary General within the Quartet exemplified the collision between an active and politically motivated Secretary General, and the political realities of US dominance within the global system.

Crucially, as the role of the Secretary General, and the UN more broadly, shifted after the Cold War, the Israelis and Palestinians remained ambivalent toward the organisation. For the Palestinians, despite having majority support in the large intergovernmental forums, the inaction of the Security Council stemming from unwavering American support for Israel continued to frustrate their attempts to pass substantive resolutions. For the Israelis, despite the protection of United States within the Security Council, the series of resolutions (perceived to be anti-Israeli) passed in the General Assembly during the Cold War had soured their relations with the UN. As a UN official noted, 'each side basically felt a victim of the UN's impotence, and neither of them thought the UN could actually solve their conflict.'⁸⁵

The Post-Cold War Peace Process

There is no precedent for a successful start-to-finish American effort to bring about peace in the Middle East. All such endeavors that came to something initially were rooted in local dynamics that the US could influence but did not produce. Nor are there notable examples of the US forcing an Israeli government to take sustained action that it believes to be fundamentally at odds with its core interests.

- Robert Malley and Hussein Agha.⁸⁶

The end of the Cold War and the collapse of the Soviet Union affected each of the Quartet members differently. It also shifted the strategic calculations of both the Israelis and Palestinians, and produced challenges and opportunities in the peace process. For the United States, the removal of the Soviet Union as a counteracting global rival

⁸⁴Boutros Ghali, B., "Supplement to the Agenda for Peace," Position Paper of the Secretary General on the Occasion of the Fiftieth Anniversary of the United Nations: 3 January, 1995.

⁸⁵ UN official. Interview with the author, Jerusalem, November, 2011.

⁸⁶ Malley, R. and Agha, H., "Who's Afraid of the Palestinians?," *The New York Review of Books*, 10 February, 2011.

allowed for greater freedom of action and influence in the Middle East, and cemented US hegemony. Within the United Nations, the easing of the polarisation of the Security Council produced a period in which *ad hoc* conflict resolution mechanisms flourished. For the European powers, the period following the end of the Cold War coincided with moves to solidify the European Community into a more structured and all-encompassing union, including the creation of collective foreign policy. From an Israeli perspective, the collapse of the Soviet Union represented the removal of an often obstructive and destabilising force in the Middle East, and diminished the support for Arab extremism and rejectionism.⁸⁷ For the Palestinians and other Arab states, however, the departure of the Soviet Union allowed the strategic and military balance in the region to shift even further towards the United States and, by virtue of the closeness of the relationship, to Israel. These dynamics underpinned the Middle East peace process in the subsequent period.

The Madrid Multilaterals

The Madrid Multilaterals began with a conference in Madrid in October 1991, co-sponsored by the United States and the Soviet Union, which was followed by a series of discussions on the bilateral and multilateral levels in the subsequent period. As Peters notes:

The aim was to bring together Israel, its immediate Arab neighbours and the wider circle of Arab states in the Gulf and the Maghreb to discuss issues of regional concern within a framework for dealing with issues of mutual interest which might also serve as confidence-building measures and facilitate progress on the bilateral level.⁸⁸

President George H. W. Bush and US Secretary of State James Baker sought to capitalise on the patterns of cooperation with the Arab states forged during the recent Gulf conflict, and recognised that the Jordanians and Palestinians were more amenable to political pressure after their support for Saddam Hussein had led to diplomatic isolation.⁸⁹ As Aaron David Miller argues, the challenge for Bush and Baker was to 'put together a conference that had enough symbolism for the Arabs but not too much

⁸⁷ Dannreuther, *The Soviet Union and the PLO*, p. 175.

⁸⁸ Peters, *Pathways to Peace: The Multilateral Arab-Israeli Peace Talks*.

⁸⁹ Quandt, *Peace process: American Diplomacy and the Arab-Israeli Conflict Since 1967 - Revised Edition*, p. 396.

substance for the Israelis,' and to 'come up with a fix to a problem that had eluded all of his predecessors: how to get "non-PLO" Palestinians to sit at the table with Israel.'⁹⁰

The conference established two tracks of negotiations: the bilateral and the multilateral. The bilateral track involved negotiations between Israel and its immediate neighbours; namely the Palestinians, the Jordanians, the Syrians and the Lebanese. However, the Palestinians were represented as part of a joint delegation with Jordan, and Yasser Arafat and other leading figures in the PLO were excluded from participation after strong Israeli objections to their attendance.⁹¹

The multilateral track included five working groups, overseen by a steering committee, which focused on key issues of general concern for the region – water, the environment, arms control, refugees and economic development. As Hudson argues:

The broader regional focus appealed to the Israelis, and drew in countries like Saudi Arabia which could influence the Arab parties to the bilateral talks. The Madrid process, in short, was designed for band wagoning, or developing a centrifugal momentum to create a new Middle East, with Israel playing a central role in it.⁹²

For the European Union, exclusion from the bilateral track, and relegation to participation in the steering committee of the multilateral groups, represented a clear message that Washington was the sole power broker in the region.⁹³ Consequently, in the period following the breakdown of the multilaterals, EU officials 'became increasingly careful to present themselves as only attempting to back and complement American policies rather than compete with them.'⁹⁴

It was no coincidence that the first Quartet statement was delivered in Madrid. In choosing this location, the Quartet principals sought to draw connections between their efforts in 2001 and the efforts of members of the international community during the multilaterals process. UN Secretary General Kofi Annan made this connection explicit when, in remarks delivered before the official Quartet statement, he declared that:

⁹⁰ Miller, A. D., *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace* (New York: Bantam Books, 2008), p. 218.

⁹¹ Andoni, L., "The PLO at the Crossroads," *Journal of Palestine Studies* 21, no. 1 (1991): p. 62.

⁹² Hudson, "To Play the Hegemon: Fifty Years of US Policy toward the Middle East," p. 335.

⁹³ Hatuqa, "European Foreign Policy and the Israeli-Palestinian Conflict," p. 24.

⁹⁴ Aoun, "European Foreign Policy and the Arab-Israeli Dispute: Much Ado About Nothing?," p. 297.

I would like to thank the government of Spain for hosting us today in Madrid just over 10 years since the Madrid Conference set out the essential principles for a comprehensive peace in the Middle East.⁹⁵

While there were circumstantial parallels between the two events,⁹⁶ the extent to which the Madrid Multilaterals functioned as a precedent to the eventual creation of the Quartet was negligible.⁹⁷ While the Quartet and the Madrid process both shared multilateral characteristics, the logical underpinning of the Quartet was that it *excluded* the parties to the conflict. Furthermore, the multilateral process involved the input of key regional actors (again in contrast to the Quartet) and was sidelined ultimately by developments in the Israeli-Palestinian bilateral track. As Kurtzer noted:

The members who joined the steering group at the Madrid Multilaterals wanted it to be the cross-over point to the bilateral, but it never became that. So it's hard to say that 10 years later [by creating the Quartet] we revived something that didn't exist in the first place, to now play this role.⁹⁸

Despite the importance of the Madrid Multilaterals within the context of the peace process, the key catalysts for the formation of the Quartet were the al-Aqsa *intifada*, and the 9/11 terrorist attacks.⁹⁹

The disintegration of the Madrid framework has been well documented, with several causes attributing to the breakdown.¹⁰⁰ These included the failure of the Bush Administration to build a strong domestic coalition to support its strategy,¹⁰¹ the disinterest of the Israeli Prime Minister at that time in making peace with the Palestinians,¹⁰² the exclusion of the PLO leadership from bilateral negotiations, the

⁹⁵ US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana."

⁹⁶ The Madrid Multilaterals, similar to the formation of the Quartet, were partly a reaction to a breakdown in relations between the Israelis and Palestinians that had manifested into an *intifada*. In both cases, the escalation of violence produced pressure on policymakers across the globe to be seen to be seeking resolution. Furthermore, both events involved collaboration between global powers within the context of the Israeli-Palestinian conflict, and were underpinned by the logic that the parties to the conflict were incapable of resolving their issues in the absence of third party intervention.

⁹⁷ For an author who places a greater emphasis on this connection, see: Musu, C. "The Madrid Quartet: An Effective Instrument of Multilateralism?" *International Studies Association 48th Annual Convention*, Chicago, USA, 28 February 2007.

⁹⁸ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

⁹⁹ These developments are discussed in *Chapter Three: The Formation of the Quartet*.

¹⁰⁰ See in particular: Quandt, *Peace process: American Diplomacy and the Arab-Israeli Conflict Since 1967 - Revised Edition*, pp. 396-415.

¹⁰¹ Kurtzer, D. and Lasensky, S., *Negotiating Arab-Israeli Peace: American Leadership in the Middle East* (Washington, DC: United States Institute of Peace Press, 2007), p. 16.

¹⁰² Shamir's disinterest in the proceedings of the conference was illustrated by Aaron David Miller's account of a conversation between Shlomo Ben-Ami and Yitzhak Shamir: 'When Ben-Ami asked the Prime Minister what he thought of Gorbachev's speech, Shamir, honest to a fault, replied, "I don't know,

upsurge in violence occurring on the Israel-Lebanon border, and the incitement and violent attacks conducted by Hamas and other Palestinian activists in the Gaza Strip.¹⁰³

The symbolic and practical achievements of the Madrid negotiations, however, should not be downplayed. The conference presented an opportunity for Israeli and Arab officials to meet face to face for the first time since 1973, and progress on the Israeli-Jordanian bilateral track culminated in a peace treaty between the two in 1994. Furthermore, the exclusion of the PLO from the bilateral process resulted in the commencement of secret talks between Israeli and Palestinian officials that eventually lead to recognition between the two sides, and the beginning of the Oslo process.

The Oslo Process

The Clinton Administration inherited an ideal strategic environment for peacemaking. The United States was the sole superpower and had successfully conducted the 1991 Gulf War, building an Arab coalition to support it. The Madrid conference was an impetus to peacemaking, including the multilateral process that brought Arab states into the negotiations. Finally, Israel had a new prime minister in Yitzhak Rabin, replacing Shamir, who admitted later that he never intended to negotiate peace seriously with Palestinians.

- Daniel Kurtzer and Scott Lasensky.¹⁰⁴

In 1992, political leadership in both the United States and Israel underwent important change. Labour's Yitzhak Rabin replaced Likud's Yitzhak Shamir, and Democrat Bill Clinton replaced George H.W. Bush as the US President.¹⁰⁵ Concurrent with these developments was the initiation of secret talks between Israeli and PLO officials in Oslo, under Norwegian auspices. The Oslo negotiations aimed to address the missing element of all previous talks: a direct agreement between Israelis and Palestinians, represented by the PLO.¹⁰⁶

Beginning with historic mutual recognition between the PLO and Israel, the Oslo process was an incremental series of confidence building measures, negotiations and agreements that spanned the next seven years, before breaking down by the beginning

I fell asleep." Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 230.

¹⁰³ Freedman, "Israeli-Russian Relations since the Collapse of the Soviet Union," p. 239.

¹⁰⁴ Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*, p. 17.

¹⁰⁵ For comprehensive analysis of the Clinton Administration's approach to the Israeli-Palestinian conflict, see: Sturkey, D., *The Limits of American Power: Prosecuting a Middle East Peace* (Cheltenham, UK: Edward Elgar, 2007).

¹⁰⁶ For expansive analysis on this process, see: Parsens, N., *The Politics of the Palestinian Authority: From Oslo to al-Aqsa* (New York: Routledge, 2005), pp. 83-125.

of the second Palestinian *intifada*. Numerous accounts have analysed and debated the causes of the successes and failures of this multifaceted process.¹⁰⁷ What follows is limited to a brief examination of the key ways in which the Oslo process acted as a catalyst for the creation of the Quartet in 2001, including the subsequent approaches adopted by the Quartet members.

The 1993 'Declaration of Principles' signed on the White House lawn by PLO Chairman Yasser Arafat and Israeli Prime Minister Yitzhak Rabin outlined the agenda for the subsequent negotiations process, established a timeline for the discussion of final status issues, and also established a framework for Palestinian administrative control in the occupied territories.

The central tenet of the Oslo process was sequentialism; a mutually reinforcing series of steps, at least implicitly toward Palestinian self-determination, in which compliance from one party would promote reciprocal steps from the other. This process was designed to build confidence between the parties that would underpin future dialogue regarding the core elements of the conflict. It allowed for the gradual accommodation of both parties to the realities of an eventual settlement, while building cooperation in areas such as security and public administration.

The sequentialist approach had two central flaws.¹⁰⁸ Firstly, by delaying discussion of the final status issues, the Oslo process failed to prohibit the construction of Israeli settlements in the occupied territories during the negotiations process. Secondly, the end goals of the Oslo process were never established explicitly, and neither the Israelis nor the Palestinians could provide guarantees to their domestic constituencies that the process would culminate in a mutually-agreeable solution which those constituencies could accept. When progress on the bilateral negotiations stalled, and settlement

¹⁰⁷ See: Clinton, B., *My Life* (New York: Knopf, 2004). Indyk, M., *Innocent Abroad: An Intimate Account of American Peace Diplomacy in the Middle East* (New York: Simon & Schuster, 2009). Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*. Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*. Bregman, A., *Elusive Peace: How the Holy Land Defeated America* (London; New York: Penguin, 2005). Ross, D., *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus and Giroux, 2005).

¹⁰⁸ These flaws were established later by the Sharm el-Sheikh Fact Finding Committee Report, also known as the Mitchell Report. This report was a key driving force for the creation of the Quartet, and is discussed further in the next chapter.

construction and armed resistance continued, the deficiencies in the Oslo process fuelled popular dissatisfaction.¹⁰⁹

For the European Union, the Oslo period coincided with the growth of Euro-Mediterranean economic policies, including an Association Agreement with Israel in 1993, and one with the Palestinians in 1997.¹¹⁰ The European Commission granted the Palestinians approximately EU500 million for the 1994–1998 period, and additional aid was also allocated for Palestinian infrastructural projects such as the Gaza Airport.¹¹¹

Within this context, the ongoing exclusion of European officials from the US-led political process between the Israelis and Palestinians became a source of frustration in Brussels. With the creation of its envoy to the peace process in 1996, the EU sought to challenge the moniker of ‘payer not player,’ and to orchestrate European participation in the negotiations process. For US officials working within the Oslo process, European involvement was seen as an unnecessary complication. As former State Department official Martin Indyk recounted:

The EU desperately wanted to be involved in the negotiations. They’d appointed Moratinos as the special envoy and with clear instructions to ‘get yourself involved in the negotiations.’ He pushed and shoved, and he did whatever he could, always taking advantage of Arafat’s willingness to try to play off the Europeans against the US. He was just a damn nuisance to us. He was always screwing things up, and for us it just underscored the basic premise, that if you’re involved actively, if you’re trying to broker a deal between the two sides, which we were for the 8 years of the Clinton Administration, the last thing you want is another mediator coming in and offering one side or the other a better deal. Or simply confusing the messages between the two sides, trying to act as an alternative go-between and just getting in our way. We were furious about it.¹¹²

For the Clinton Administration, the need to ‘keep the process alive’ became the mantra throughout the Oslo years, often at the expense of taking strong positions when the parties did not fulfil their commitments.¹¹³ Ultimately, despite considerable political and personal investment, President Clinton was unable to facilitate final agreement between

¹⁰⁹ The second *intifada* is discussed in greater detail in *Chapter Three: The Formation of the Quartet*.

¹¹⁰ Aoun, "European Foreign Policy and the Arab-Israeli Dispute: Much Ado About Nothing?," p. 301.

¹¹¹ Ibid.

¹¹² Indyk, M., Former United States Ambassador to Israel, interview with the author, Washington, DC, November, 2011.

¹¹³ Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*, p. 45.

Barak and Arafat during the Camp David II Summit, and the Israeli-Palestinian bilateral relationship disintegrated.¹¹⁴

For the Quartet members, the experience of the Oslo period was a driving force for the early work of the grouping, especially the Roadmap document.¹¹⁵ Specifically, the Quartet members sought to address the structural deficiencies of the Oslo process, and to introduce input from actors who had been excluded historically from the political process. As UNSG Kofi Annan noted, the breakdown in the Oslo process 'showed the limits of US-only peace-making and increased calls in the region for more players to be at the Middle East peace table.'¹¹⁶

The next chapter presents the second Palestinian *intifada* and the 9/11 terrorist attacks as the main catalysts for the formation of the Quartet, and contextualises the decisions of each of the Quartet members to form the group as continuations of the historical trends outlined in this chapter.

¹¹⁴ For an analysis of the Oslo period, including the Camp David Summit, see: Ben Ami, S., *Scars of War, Wounds of Peace: The Israeli-Arab Tragedy* (New York, Oxford: Oxford University Press, 2006), pp. 201-85.

¹¹⁵ The authorship of the Roadmap document and its connections to the Oslo process are discussed in *Chapter Five: The Roadmap Process*.

¹¹⁶ United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006.

Chapter Three: The Formation of the Quartet

The Quartet was a vehicle with four wheels, but the engine was inevitably 'Made in America.' This carried risks for my position in particular. But I hoped at least that I could have a hand on the steering wheel, and quite often I did.

- Kofi Annan, United Nations Secretary General (1997-2006).¹

I didn't blame Clinton for the failure at Camp David or the violence that followed. I blamed Arafat.

- George W. Bush, United States President (2001-2009).²

Introduction

The Quartet has no birth certificate. As an informal mechanism, it was proposed and created during a series of private meetings six months before its members released the first statement in April 2002. In mid-October 2001, Terje Roed-Larsen and UNSG Kofi Annan held a private meeting at UN headquarters in New York to discuss the Israeli-Palestinian conflict.³ The annual UN General Assembly meeting had been postponed in the wake of the 9/11 terrorist attacks, and the breakdown in relations between the Israelis and Palestinians that had led to a second *intifada*. According to Roed-Larsen, he and Annan discussed strategies for ending the violence and helping the parties to return to negotiations, and it was during this meeting that he pitched the idea of forming a grouping dedicated to furthering these goals.⁴ The original proposal was for a formation including representatives from the European Union, the United Nations, the United States and Russia, as well as representatives from Jordan and Egypt.⁵ According to Roed-Larsen, while Annan was supportive of the idea in principle, he felt that the inclusion of Jordan and Egypt would make the arrangement 'too complicated,' and suggested that the group be reduced to four members and called 'the Quartet.'⁶

After this meeting, Annan wrote to each of the other proposed Quartet principals, inviting them to convene the following day. The four representatives met, discussed the grouping and agreed to membership.⁷

¹ Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 274.

² Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), p. 399.

³ Roed-Larsen, T., Former United Nations Special Coordinator for the Middle East peace process, interview with the author, New York City, October, 2011.

⁴ Ibid.

⁵ Roed-Larsen described the logic behind the 'Sextet' as a way to include input from the two Arab states that had peace treaties with Israel. Ibid.

⁶ Ibid.

⁷ Annan, *Interventions: A Life in War and Peace*, p. 274.

For Annan, consideration of a collaborative effort between the US, the EU, Russia and the United Nations in the Middle East dated back to at least January 2001. According to the Secretary General, before his trip to the region during the violence early that year, he had suggested to US Secretary of State Colin Powell that ‘he and I, along with [EU High Representative for Common Foreign Policy] Solana and Russian Foreign Minister Igor Ivanov, should visit the region to pull the parties back from the brink.’⁸ At that time the arrangement didn’t eventuate, ostensibly because ‘Powell could not sell the idea to Washington.’⁹ However, Annan’s logic was that ‘our representatives were already working closely together on the ground,’ and that ‘it was time to take it up a notch.’¹⁰

While the meeting in October was the moment in which the Quartet principals first formally discussed the group and agreed to coordinate their work in the region, their diplomatic envoys had already been operating, in an unspoken way, as a foursome in the Middle East. Roed-Larsen described this tacit collaboration as a ‘*milieu* of special envoys working very closely together,’ and by the time of the 9/11 terrorist attacks in the United States, the envoys were discussing making the cooperation more systematic.¹¹ In an account relayed by European External Action Service (EEAS) Advisor Christian Jouret, the envoys of the Quartet powers approached Yasser Arafat as a collective immediately after 9/11 in order to convince him to issue a statement distancing himself from al-Qaeda.¹² After eventually convincing Arafat to deliver an address – albeit several days after the attacks – the envoys determined that they should ‘continue to act together.’¹³

So well formed were the working relationships between the Quartet envoys in the region during this period that only days after the principals were convened by Annan in New York to discuss forming the grouping, they were working collaboratively and calling themselves the Quartet. The first example of this quick coordination took place after the 17 October 2001 assassination of Rehavam Ze’evi, the Israeli Minister of Tourism. The Quartet envoys, identifying themselves as such, worked closely with the US Ambassador to Israel, Daniel Kurtzer, to gain information on the incident from the

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Roed-Larsen. Interview with the author, New York City, October, 2011.

¹² Jouret, C., Middle East Advisor, European External Action Service (EEAS), interview with the author, Brussels, November, 2011.

¹³ Ibid.

Israelis, and to seek a commitment from Arafat to arrest the alleged perpetrators.¹⁴ On 25 October 2001, the Quartet envoys issued a public statement outlining the nature of their consultations in the region, and urging the parties to the conflict to 'bring a rapid end to the current crisis.'¹⁵ While not identified officially as the first Quartet statement, the 25 October envoys' statement was a blueprint for the structure of future public statements, and established the envoys as the driving force within the grouping. Since issuing their first joint statement in Madrid six months later, the Quartet has continued to meet at the principal and envoy level, even as its constituent representatives have changed and the circumstances in the region have shifted.

Why Did the Quartet Form?

As discussed previously, because the members of the Quartet have not sought to formalise their collaborative efforts, there are no official records of the formation of the Quartet or the explicit reasoning of its members for creating the group. By its nature, this chapter relies heavily on autobiographical accounts and on anecdotal evidence collected during interviews between the author and individuals familiar with the member organisations of the Quartet and with the Quartet itself.

The Quartet emerged from the interplay between several overlapping factors in late 2001. Each of these factors partially – not necessarily equally – explains the emergence of the grouping, although they are deeply interconnected and cannot be regarded in isolation from each other. In summary, it will be suggested that the Quartet evolved from the professional relationships that already existed between diplomats working on the Middle East peace process in 2001. The regional context in which these individuals operated, however, affected their approaches to their work. This chapter argues that the Quartet was a reaction to a specific set of regional circumstances that made the formation of a loose international coalition particularly useful at that time. In essence, the Quartet was a response to not only the al-Aqsa *intifada*, but also to the perceived failings of the Middle East peace process at that date. Inseparable from the above were the early responses to the breakdown in the peace process by the Bush Administration, which contributed to the perception that it had 'disengaged' from the issue. In that respect, the Quartet was intended to address simultaneously not only the perceived

¹⁴ Kurtzer, D., Former United States Ambassador to Israel, interview with the author, Princeton, NJ, October, 2011.

¹⁵ United Nations Department of Public Information, "Statement Read by Mr. Terje Roed-Larsen," New York City: 25 October, 2001.

failures resulting from the US dominance of the peace process, but also the perception that the Bush Administration had ‘parked’ the problem. Finally, this chapter argues that the Quartet was also a means through which its members sought to pursue their own organisational and political goals in the region.

The Interpersonal Context: The Quartet Envoys as a Driving Force

Professional relationships contributed strongly to the composition and formation of the Quartet, as well as the way in which it went on to function. The envoys established patterns of cooperation based on mutual interest and then sought to solidify these patterns into a more stable and regular form of collaboration. This is explained partly by the often personal nature of diplomacy. As one UN official noted:

When an envoy has established good, collegial, effective, trusting relations, then they can have honest discussions where they disagree. They get more space to do things that they wish to do. That’s how it works.¹⁶

As Terje Roed-Larsen noted, ‘personalities matter,’ adding that in the period leading up to the formation of the Quartet, there was ‘very good rapport’ and ‘amazing chemistry’ between the envoys representing the EU, the UN, the US and Russia.¹⁷

Former US Ambassador to Israel, Daniel Kurtzer, recounted that before the official formation of the Quartet, there were already well established associations between the envoys, especially when dealing with US representatives:

Whenever the envoys would come in they would stop by and we would chat. American ambassadors tend to know stuff, so they wanted to pick my brain. And we also wanted to influence what they were doing and how they conducted themselves.¹⁸

In addition to reflecting political realities – such as the need for good relations with the United States – the working relationships between the Quartet envoys were also affected by geography. As former UN envoy to the Quartet, Alvaro de Soto, recalled:

It was essentially likeminded people in the field, who lived near each other. Terje Roed-Larsen lived in Tel Aviv, a very short distance away from the Russian envoy, Andrei Vdovin, also not that far from the US Ambassador [Martin Indyk]. Miguel Moratinos – who was the EU envoy – lived in Larnaca in Cyprus, and he used to commute, but he spent a lot of time in Tel Aviv too. They used to see a lot of each

¹⁶ UN official. Interview with the author, Jerusalem, November, 2011.

¹⁷ Roed-Larsen. Interview with the author, New York City, October, 2011.

¹⁸ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

other. It was first the Russian, Moratinos, and Larsen, and then Martin Indyk was sort of dragged in.¹⁹

This account was confirmed by Indyk, who recalled a meeting with the envoys that took place in early 2001, during the transition period between the Clinton Administration and Bush Administration. In it, Indyk discussed the approach of the incoming Bush Administration, and advised the European, Russian and UN envoys that:

This Administration is just not going to get involved. I can tell you with authority. I can quote Colin Powell. They're not going to involve themselves. So if you guys want to do something, this is your opportunity because you're not going to be able to get the US involved.²⁰

Importantly, and as subsequent sections demonstrate, the perception of US 'disengagement' factored heavily into the calculations of the non-US envoys to the Quartet. According to Indyk, it was after outlining the Bush Administration's reticence to involve itself in the peace process that Roed-Larsen replied that 'we should all form a group.'²¹ As detailed above, Roed-Larsen then approached UNSG Annan with the idea, who convened the other principals, and cemented the grouping in late 2001.

Thus the Quartet formed from the bottom up. The importance of the envoys as a driving force within the grouping was enforced further during subsequent meetings, in which the envoys were said to operate as 'sherpas,' who 'thrashed out the agendas' and produced the draft statements, to be sent up to the principal level for approval.²² This does not mean that the principals were uninvolved or disinterested (as Roed-Larsen argues the principals still had to 'muster the courage to either refute the text, accept it or to modify it'), but only that the envoys 'hammered out the proposals' and left brackets in areas of disagreement for the principals to decide.²³ In essence, the envoys underpinned and drove the formation of the Quartet, and laid the foundations for the work of the principals. Practically speaking, this arrangement made sensible use of the time constraints that affected the members of the Quartet, as the work of the envoys was focused entirely on the region, whereas the work of the principals was spread across the globe.

¹⁹ de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

²⁰ Indyk, M., Former United States Ambassador to Israel, interview with the author, Washington, DC, November, 2011.

²¹ Ibid.

²² UN official. Interview with the author, Jerusalem, November, 2011.

²³ Roed-Larsen. Interview with the author, New York City, October, 2011.

With that said, the decision of the Quartet envoys to pursue the formation of the grouping occurred within a regional context which, to them, necessitated a new approach to the Middle East peace process. To explain why the Quartet formed, therefore, it is important to examine why it was thought to be necessary by those who proposed it.

The Regional Context: The Breakdown in Relations and the al-Aqsa Intifada

In the 1990s, it was suggested that the Arab-Israeli peace process was progressive – that is, that advances were irreversible. But events since 2000 have challenged that notion. The process is far more fragile than was previously believed. The clock can indeed be turned back.

- Daniel Kurtzer, United States Ambassador to Israel (2001-2005).²⁴

A driving force for the formation of the Quartet was the dramatic disintegration of the peace process that began in late 2000, which had its roots in the deficiencies of the Oslo period. As a response to the second *intifada*, the Quartet was, therefore, also a response to the perceived failings of the peace process that had produced it.²⁵

After the July 2000 Camp David II Summit ended in failure, the subsequent political narrative – rightly or wrongly – became one of Ehud Barak's historical concessions, and of Arafat squandering his opportunity to make peace.²⁶ Later, Clinton reinforced this impression in his memoir, when he recounted a conversation that took place with Yasser Arafat as he left office in early 2001:

Arafat, in one of our last conversations, thanked me for all my efforts and told me what a great man I was. "Mr Chairman," I replied, "I am not a great man. I am a failure, and you have made me one." I warned Arafat that he was single-handedly electing Sharon and that he would reap the whirlwind.²⁷

²⁴ Kurtzer, D. and Lasensky, S., *Negotiating Arab-Israeli Peace: American Leadership in the Middle East* (Washington, DC: United States Institute of Peace Press, 2007), p. 5.

²⁵ It should be noted that while this section is a discussion of the period in which the Quartet formed that examines the impacts of the second *intifada*, it is not intended to be a comprehensive account of the development and evolution of the *intifada* itself. For such accounts, see: Bregman, A., *Elusive Peace: How the Holy Land Defeated America* (London; New York: Penguin, 2005)., Rabinovich, I., *Waging Peace: Israel and the Arabs, 1948-2003* (Princeton, N.J.: Princeton University Press, 2004)., Enderlin, C., *Shattered Dreams: The Failure of the Peace Process in the Middle East, 1995-2002* (New York: Other Press, 2003).

²⁶ The refutation of this narrative simplification was the central focus of Malley, R. and Agha, H., "Camp David: The Tragedy of Errors," *New York Review of Books*, 9 August, 2001.

²⁷ Clinton, B., *My Life* (New York: Knopf, 2004), p. 944.

For the Palestinians, grievances with the Camp David Summit were compounded by the fact that Oslo itself was already viewed as a historic compromise. As Agha and Malley argue, during the Oslo period:

The notion that Israel was 'offering' land, being 'generous,' or 'making concessions' seemed to them to be doubly wrong — in a single stroke both affirming Israel's right and denying the Palestinians'. For the Palestinians, land was not given but given back.²⁸

On 28 September 2000, when Likud opposition leader Ariel Sharon visited the Haram al-Sharif/Temple Mount in Jerusalem accompanied by 1,000 Israeli police officers, the subsequent Palestinian protests were met with deadly force. This event sparked intense confrontations between Palestinians and Israelis that escalated into a series of deadly reprisals and counter reprisals, which formed the basis of the second *intifada*. Sharon's provocative act ignited the underlying Palestinian frustrations with the terms of the Oslo process, and the ongoing realities of life under occupation, which had been exacerbated by the recent failure of the talks at Camp David.²⁹ Seeking to explain the outbreak of violence, the Sharm el-Sheikh fact finding committee later concluded that:

The roots of the current violence extend much deeper than an inconclusive summit conference. Both sides have made clear a profound disillusionment with the behaviour of the other in failing to meet the expectations arising from the peace process launched in Madrid in 1991 and then in Oslo in 1993. Each side has accused the other of violating specific undertakings and undermining the spirit of their commitment to resolving their political differences peacefully.³⁰

The fact finding committee emerged from the 16 October 2000 Sharm el-Sheikh Summit, and its findings and composition were an important precursor to the formation of the Quartet. Firstly, the Summit itself might not have gone ahead had it not been for the involvement of the UN Secretary General, who flew to the region in early October, despite being warned by Israeli government officials that his plane would not be allowed to land at Ben Gurion Airport.³¹ As Annan recalled:

²⁸ Malley and Agha, "Camp David: The Tragedy of Errors."

²⁹ Usher, G., "Facing Defeat: The Intifada Two Years On," *Journal of Palestine Studies* 32, no. 2 (2003): p. 22.

³⁰ US Department of State, "Sharm El-Sheikh Fact-Finding Committee Report," Washington, DC: 30 April, 2001, p. 14.

³¹ Terje Roed-Larsen relayed to Annan that 'The [Israeli] Prime Minister has told me in the most emotional way that Israel will prevent the UN plane from landing at Ben Gurion Airport.' Annan called their bluff and landed on October 8, 2000. See: Annan, *Interventions: A Life in War and Peace*, p. 268.

In my ten years in office, the subsequent ten days of shuttling between Arafat and Barak were among the most improvised, uncertain and dramatic.³²

Annan's role, as he saw it, was to convince a reluctant Arafat to attend the Summit, and when he succeeded in doing so, he was invited by Egyptian President Hosni Mubarak to attend himself, along with Javier Solana, the EU High Representative for Common Foreign and Security Policy. The invitation was an important achievement not only for Annan personally, but also for the office of the Secretary General:

Thus I received my invitation to Sharm, underlining the UN's place at the centre of Middle East diplomacy. Solana thought it was historic: 'This is the first time in the history of this part of the world that the Secretary General of the United Nations has been allowed to play a role,' he told me. 'We have a long life and we need the UN.'³³

Annan's involvement in the Summit proved pivotal to the process of designing its associated fact finding committee, whose role was to investigate the outbreak of violence, and determine how its recurrence could be avoided. After Sharon's provocation, Arafat's first response had been to demand the formation of an international committee to investigate the causes of the violence, in particular the disproportionate nature of the Israeli security response to civilian protests.³⁴ As Annan recounted later, during the Sharm el-Sheikh Summit:

Barak did not want a committee at all and could only contemplate a US committee; Arafat wanted a committee under UN auspices, partly to counteract US exclusive ownership of the peace process as a whole.³⁵

The eventual compromise reached was that Clinton would appoint the committee in consultation with the Secretary General. As Annan saw it, the arrangement was a reflection of the power realities at the time, where 'the US role remained central, but the UN was now at the table.'³⁶ Consequently, the composition of the committee reflected its international character, and included Suleyman Demirel, the former President of the Republic of Turkey, Thorbjørn Jagland, the Minister of Foreign Affairs of Norway, George Mitchell (as Chairman), a former member and majority Leader of the United States Senate, Warren B. Rudman, a former member of the United States Senate, and Javier Solana.³⁷ However, between the formation of the committee, in October 2000,

³² Ibid., p. 269.

³³ Ibid., p. 270.

³⁴ Usher, "Facing Defeat: The Intifada Two Years On," p. 25.

³⁵ Annan, *Interventions: A Life in War and Peace*, p. 271.

³⁶ Ibid.

³⁷ US Department of State, "Sharm El-Sheikh Fact-Finding Committee Report."

and the release of its final recommendations in April 2001, the political landscape shifted dramatically.

On 10 December 2000, Israeli Prime Minister Ehud Barak resigned, undermining Clinton's last ditch efforts later that month to have his 'parameters on the core issues' accepted by the parties.³⁸ Similarly, follow-up negotiations at Taba, in late January 2001, between PLO and Israeli officials broke off as the Israeli elections neared, and Clinton's term ended.³⁹ On 20 January 2001, President Clinton was replaced by President Bush, whose Administration declared promptly that it was not bound by the parameters of its predecessor, and on 6 February Ariel Sharon was elected as the Israeli Prime Minister leading a conservative Likud governing coalition.⁴⁰

Sharon's early priorities in relation to the *intifada* were made clear when he visited Washington in March, and declared that 'the first thing, and the most important one, is to bring security to the citizens of Israel...that is the first thing that we have to accomplish.'⁴¹ When Sharon returned to Israel, he told reporters that President Bush had agreed with his assessment that the approach of Barak and Clinton 'was not realistic.'⁴²

Arafat, meanwhile, had been struggling to maintain control over the splintering factions within the Palestinian polity.⁴³ After endorsing tacitly the formation of grass-roots militias to defend Palestinian-controlled towns and villages from Israeli army incursions and settler violence, Arafat counterbalanced this approach with a careful avoidance of statements referring to Israel as the enemy or giving orders to fire on the Israeli army.⁴⁴ Arafat's equivocation frustrated supporters of the Palestinian cause. Annan, for example, felt that 'Arafat was not doing enough to stop the atrocious attacks', and that 'the apparatus he headed was sometimes complicit in them.'⁴⁵ Irrespective of whether Arafat was actually able to control the various factions contributing to the uprising, for

³⁸ Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*.

³⁹ As discussed previously, during the Taba talks European officials issued their own solution for bridging the gaps between the Israelis and Palestinians. Of relevance to the Quartet, the document was authored by Miguel Moratinos (Javier Solana's envoy to the region), who later became a Quartet envoy.

⁴⁰ Usher, "Facing Defeat: The Intifada Two Years On," p. 26.

⁴¹ US Department of State, "Remarks by the President and Prime Minister Ariel Sharon of Israel in Photo Opportunity," The Oval Office, The White House: 20 March, 2001.

⁴² Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 155.

⁴³ For discussion of this process, see: Bowker, R., *Palestinian Refugees: Mythology, Identity, and the Search for Peace* (Boulder; London: Lynne Rienner, 2003), pp. 155-81.

⁴⁴ Mansour, C., "The Impact of 11 September on the Israeli-Palestinian Conflict," *Journal of Palestine Studies* 31, no. 2 (2002): p. 11.

⁴⁵ Annan, *Interventions: A Life in War and Peace*, p. 252.

the Israelis, the Palestinian leadership's ambiguity enabled them to position him as either being irresponsible, or irrelevant.⁴⁶

It was in this political context that, on 30 April 2001, the Sharm el-Sheikh fact finding committee released their recommendations. This report, also referred to as the Mitchell Report, called for simultaneous actions from both parties, designed to halt the violence and promote a return to negotiations. It is important to note that this report introduced, for the first time in the post-Oslo period, the notion of parallelism. By calling for its recommendations to be addressed simultaneously by the parties, the Mitchell Report was, in essence, a counter-argument to the notion of sequentialism that underpinned the Oslo period. The report recommended that:

The Palestinian Authority should make clear through concrete action to Palestinians and Israelis alike that terrorism is reprehensible and unacceptable, and that the Palestinian Authority will make a 100 percent effort to prevent terrorist operations and to punish perpetrators. This effort should include immediate steps to apprehend and incarcerate terrorists operating within the Palestinian Authority's jurisdiction.⁴⁷

In addition, and importantly for the eventual formation of the Quartet,⁴⁸ the report also recommended that:

The Government of Israel should freeze all settlement activity, including the 'natural growth' of existing settlements.⁴⁹

For Palestinians, the growth of Israeli settlements in the territories occupied since 1967 had become a key rallying cry of the political movements underpinning the second *intifada*. Between the signing of the Oslo accord in September 1993 and September 2000, settlement construction in the occupied territories increased by 52 percent, contributing an additional 75,000 settlers to the West Bank and Gaza, and an additional 27,000 to East Jerusalem.⁵⁰ This brought the total settler population in the occupied territories to approximately 380,000.⁵¹ Thus, the fact finding committee's recommendation for a settlement freeze reflected the dual aim of reducing (but not

⁴⁶ Mansour, "The Impact of 11 September on the Israeli-Palestinian Conflict," p. 11.

⁴⁷ US Department of State, "Sharm El-Sheikh Fact-Finding Committee Report," p. 5.

⁴⁸ As is discussed in *Chapter Five: The Roadmap Process*, a total settlement freeze was a core component of the Quartet's 'Roadmap' document.

⁴⁹ US Department of State, "Sharm El-Sheikh Fact-Finding Committee Report," p. 5.

⁵⁰ B'Tselem, "Land Grab: Israel's Settlement Policy in the West Bank," Israel Information Center for Human Rights in the Occupied Territories, March 2002. As cited by Usher, "Facing Defeat: The Intifada Two Years On," p. 22.

⁵¹ B'Tselem, "Land Grab: Israel's Settlement Policy in the West Bank." As cited by Usher, "Facing Defeat: The Intifada Two Years On," p. 22.

removing) what was deemed to be a central cause of the continuing Palestinian violence, as well as addressing a deficiency of the Oslo period.

While both parties agreed to the recommendations of the fact finding committee, they each chose to situate their acceptance within a framework that suited their immediate political needs.⁵² Arafat, after publicly accepting the recommendations '100 percent', began to champion an idea ruled out by the Mitchell Report, that an international observer force be sent to the occupied territories to monitor the cease-fire and protect Palestinian civilians.⁵³ Unsurprisingly, international monitoring forces were a non-starter for Israel, but the strategy for the Palestinian leadership reflected a demand from factional leaders to 'return the Palestinian struggle from the tutelage of the United States and Israel,' and to move it toward 'international legitimacy and the forum of the United Nations and Arab world.'⁵⁴

Sharon took a two-pronged approach to the report. Firstly, he offered his interpretation of a 'settlement freeze' as being restricted to the establishment of new settlements, and not inclusive of 'natural growth' in existing ones.⁵⁵ Secondly, he framed the Israeli execution of the committee's recommendations as being contingent on a cease-fire with the Palestinians, including, for example, 'total calm' on the Palestinian side for seven full days.⁵⁶ By making Israeli adherence to the recommendations of the report subject to Palestinian 'quiet', Sharon effectively allowed for violent factions within the Palestinian polity to disrupt the process at any moment. When Sharon's interpretation of Israel's responsibilities was endorsed by US Secretary of State Colin Powell, it was considered by Palestinian analysts as an indication that the 'Mitchell [Report] was dead before it was born.'⁵⁷

The so-called Tenet ceasefire plan, which emerged from the Bush Administration's response to the Mitchell Report, and was named after CIA director George Tenet, posited that before the recommendations of the fact finding committee could be implemented, the parties to the conflict must first re-establish security cooperation and

⁵² See attachments of Sharm el-Sheikh Fact-Finding Committee Report for copies of both the Israeli and Palestinian responses to the findings. US Department of State, "Sharm El-Sheikh Fact-Finding Committee Report," pp. 51, 59.

⁵³ Usher, "Facing Defeat: The Intifada Two Years On," p. 28.

⁵⁴ Ibid.: p. 24.

⁵⁵ This was despite the Mitchell Report stating clearly that 'natural growth' should be included in the freeze. Mansour, "The Impact of 11 September on the Israeli-Palestinian Conflict," p. 8.

⁵⁶ Ibid.

⁵⁷ Usher, "Facing Defeat: The Intifada Two Years On," p. 29.

enact a cease-fire.⁵⁸ This shifted the discourse from one addressing the underlying causes of the *intifada* to one focussing on the immediate security situation on the ground, and sidelined the Mitchell Report.

For the international community, (especially the envoys of the Quartet powers) the failed implementation of the Report was a missed opportunity.⁵⁹ At the July 2001 meeting of the G8 in Rome, the leaders of the G8 countries issued a statement labelling the Mitchell Report as '...the only way forward to break the deadlock, to stop the escalation and to resume a political process.'⁶⁰ The statement, in an attempt to address the Tenet plan, also called for the 'cooling off period' to begin as soon as possible, and affirmed the need for 'third-party monitoring accepted by both parties.'⁶¹

Any possibility for calm was lost on 27 August 2000, when an Israeli helicopter gunship fired two missiles into the office building of the Popular Front for the Liberation of Palestine (PFLP) in Ramallah, killing Abu Ali Mustafa, the faction's Secretary General.⁶² The attack produced an immediate escalation in the violence between both sides. The PFLP responded by assassinating the Israeli cabinet minister, Rehavam Ze'evi, on 17 October 2000, and Israeli forces reacted by re-taking Bethlehem, Jenin, Qalqilya, Ramallah, and Tulkarm – five of the eight West Bank towns ceded to 'full' PA control during the Oslo process.⁶³

Thus, at the time of the 9/11 terrorist attacks in the United States, the situation in Israel and Palestine had spiraled out of control, and individuals working on the issue had begun to push for a new approach that could attempt to address the *intifada* as well as its root causes. Specifically, an approach was required that could tackle the construction of Israeli settlements in occupied territory as well as Palestinian incitement, while also challenging the notion of sequentialism that had underpinned Oslo and the absence of effective monitoring practices. Furthermore, this approach also needed to address simultaneously the perception of US dominance of the peace process during the Oslo

⁵⁸ Israel Ministry of Foreign Affairs, "Palestinian-Israeli Security Implementation Work Plan: Tenet cease-fire plan," Jerusalem: 14 June, 2001.

⁵⁹ UN official. Interview with the author, Jerusalem, November, 2011.

⁶⁰ US Department of State, "Statement on Middle East: Conclusions of the meeting of the G8 Foreign Ministers' Meeting," Rome, Italy: 19 July, 2001.

⁶¹ Ibid.

⁶² Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 157.

⁶³ Usher, "Facing Defeat: The Intifada Two Years On," p. 29.

period, while drawing a reticent Bush Administration into more concrete engagement with the peace process.

While these issues eventually became the central tenets of the 'Roadmap' document in late 2002,⁶⁴ the members of the Quartet made these goals clear in May 2002, when they called for 'a restoration of security, security from terror and violence for Israelis and Palestinians,' the need for 'strong, accountable, democratic and market-oriented institutions for Palestinians,' and 'serious and accelerated negotiations toward a settlement.'⁶⁵ Finally, at the same event, when US Secretary of State Colin Powell was asked to comment on the Israeli settlements, he said:

The issue of settlements is a very real one, and it will have to be dealt with. There will have to be a cessation of new settlements, and something will have to be done about the settlements that are there now. And that has always been part of the various negotiating efforts that have been underway.⁶⁶

While the extent to which the Quartet was able to make progress on these issues is the subject of the subsequent chapters, it is clear, both in its composition and its early statements, that the Quartet members sought to address the perceived deficiencies of the Oslo period that were seen to have led to the outbreak of the *intifada*.

The US Context: Disengagement or Disinterest?

If his predecessors had faced Arab and Israeli leaders who seemed ready to do serious business, Bush looked at a landscape hardened by confrontation and driven by angry and fearful publics and leaders who reflected their mood.

- Aaron David Miller, senior advisor on Arab-Israeli negotiations to United States Secretary of State Colin Powell (2001-2003).⁶⁷

A key driving force for the formation of the Quartet was the widely held perception that the Bush Administration had disengaged from the Middle East peace process. In this context, the Quartet served a dual purpose, in that it was both an attempt to encourage and legitimise re-engagement from the Bush Administration, as well as a way to fill the political vacuum created by US inactivity. This section deals primarily with the latter,

⁶⁴ The authorship and implementation processes of the Roadmap document are the central focuses of *Chapter Five: The Roadmap Process, 2002-2003*.

⁶⁵ US Department of State, "Remarks by US Secretary of State Colin Powell and UN Secretary-General Kofi Annan on "Madrid Quartet" Initiative to Convene a Regional Peace Conference in the Middle East," Washington, DC: 2 May, 2002.

⁶⁶ Ibid.

⁶⁷ Miller, A. D., *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace* (New York: Bantam Books, 2008), p. 322.

while the subsequent section (focussing on the organisational objectives of the Quartet) explores the former.⁶⁸

In early 2001, newly-appointed US Secretary of State Colin Powell made a trip to the Middle East, where he met with the outgoing US Ambassador to Israel, and key Clinton advisor, Martin Indyk. According to Indyk, it was during this meeting that Powell indicated that the Bush Administration intended to 'park' the Israeli-Palestinian conflict, to which Indyk replied 'you can't park it, it's on a hill.'⁶⁹ When Indy spoke later with President Bush about this approach, Bush reportedly told him that 'there's no Nobel Peace Prize to be won here.'⁷⁰ Indyk went on to relay this information during a meeting between envoys from Russia, the European Union, and the United Nations, telling them 'if you want to do something, this is your opportunity.'⁷¹

The Bush Administration's 'minimalist approach' was outlined publicly in March 2001 when Powell, in a speech delivered to the American Israel Public Affairs Committee (AIPAC), announced that the United States stood ready to 'assist, not insist,' in attempts to restart a Palestinian-Israeli dialogue, and avoided all use of the term 'peace process.'⁷² Later in the same month, the United States vetoed a Security Council resolution calling for an UN observer force to monitor the situation in the occupied territories.⁷³ It should be noted, however, that US protection of Israel in the United Nations Security Council was not a new phenomenon, and Clinton, after leaving office, observed that:

The Israelis depended on the United States to veto such measures, which we normally did. That enabled us to maintain our influence with them, but weakened our claim to be an honest broker with the Palestinians.⁷⁴

Here a distinction should be made between disinterest and disengagement. That is, the difference between an Administration that had de-prioritised the Israeli-Palestinian conflict, and one that had made the judgement that there was nothing to be gained from active involvement. Former Bush Administration National Security advisor, and later

⁶⁸ In particular, it discusses the notion that the divide between the Powell State Department and Bush White House was a driving force behind Powell's involvement in the Quartet.

⁶⁹ Indyk. Interview with the author, Washington, DC, November, 2011.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Christison, K., "All Those Old Issues": George W. Bush and the Palestinian-Israeli Conflict," *Journal of Palestine Studies* 33, no. 2 (2004): p. 47.

⁷³ Zunes, S., "The United States and the breakdown of the Israeli-Palestinian peace process," *Middle East Policy* 8, no. 4 (2001): p. 77.

⁷⁴ Clinton, *My Life*, p. 748.

Secretary of State, Condoleezza Rice argued that the latter explained the Bush Administration's early reticence:

It became fashionable during the Bush team's eight years in office to say that we did not come to power committed to the peace process and that we should have pursued the understandings at Camp David. It simply flies in the face of reality to believe that there was any room for negotiations between Palestinians and Israelis in 2001 or for some time afterward. Yasser Arafat had demonstrated that he would not or could not make peace. Ariel Sharon came to power to defeat the Palestinian resistance, not to negotiate.⁷⁵

Firstly, it should be noted that Rice's distinction related to the *cause* of the Bush Administration's disengagement, and was not a refutation of the notion that it was, in fact, disengaged. Nevertheless, one aspect of this disengagement appears to have been a response to the active engagement of Bush's predecessor, Bill Clinton.⁷⁶ As one Israeli academic noted, the difficulties of the Clinton Administration had enhanced in Bush the 'natural instinct' of any new political Administration 'to do the opposite of what its predecessor has done,' which in this case was compounded by the sense that the Middle East peace process was 'not a promising enterprise that would reward the investment of political capital.'⁷⁷ Reinforcing the Bush Administration's initial inclination to avoid the missteps of the Clinton Administration was Bush's deep antipathy towards Yasser Arafat. As Rice later recounted:

The President placed the blame for the failure of the Camp David negotiations on Arafat. He believed that Arafat was corrupt and unwilling to make difficult choices for peace.⁷⁸

When Bush was confronted by Prince Bandar bin Sultan, the Saudi Arabian Ambassador to the United States early in his term about his inaction regarding the *intifada*, Bush replied that 'Arafat is a liar,' and that he was impossible to work with or

⁷⁵ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 53.

⁷⁶ In their study of US leadership in the Middle East, Kurtzer and Lasensky consulted with members of the Clinton team and concluded that Clinton's willingness to take every phone call from Israeli Prime Minister Barak – at times on an almost daily basis – 'devalued the president's latent power and denied Clinton the critical distance that a president often must have when dealing with detailed and nuanced policy problems.' See: Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*, pp. 47-51.

⁷⁷ Heller, M., Principal Research Associate at the Institute for National Security Studies, Tel Aviv University, interview with the author, Tel Aviv, November, 2011.

⁷⁸ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 136.

trust.⁷⁹ Prince Bandar replied that the problem was larger than one man, and that the 'region is boiling, and it's building and building.'⁸⁰

Going beyond his concerns regarding Arafat's ability or inclination to make peace, Bush appeared to have also had a strong personal dislike for the Palestinian leader. In an account relayed by Annan in his autobiography, he was hosting a heads of state lunch during the General Assembly of 2001 when:

Javier Solana somewhat courageously wandered over to where Bush and I were seated, and casually dropped the suggestion that President Bush take this opportunity to shake Yasser Arafat's hand. 'Tell him to shake his own hand,' was the inimitable Texan reply. That was that.⁸¹

From a foreign policy standpoint, Bush's feelings toward Arafat led arguably to disinterest in testing whether possible openings could be exploited to create diplomatic opportunities,⁸² an example of which was the failure of the Administration to build upon the findings of the Mitchell Report.⁸³ Furthermore, Bush's outlook also affected the way in which he viewed the conflict more broadly. As Rice recounted:

I talked to the President every day, and I knew where he stood. The constant violence against Israeli civilians and Arafat's prevarication and unwillingness to break with terrorism led the President to tilt toward Tel Aviv.⁸⁴

While active US engagement in the Israeli-Palestinian conflict was not guaranteed to produce success, the absence of a peace process arguably carried a far greater cost. As Ross argued:

With only very limited American diplomacy between Israelis and Palestinians, the *intifada* was transformed into a war, with a vast escalation in the suffering on both sides. For Israelis and Palestinians alike, the price they paid for having no peace process was extraordinarily high.⁸⁵

In addition to the impact on the parties, and importantly for the Quartet, the lack of engagement of the Bush Administration also eroded US regional standing.⁸⁶ By late 2001, allies of the United States were searching for ways to draw the Bush

⁷⁹ Woodward, B., *State of Denial*, 1st Simon & Schuster trade pbk. ed. (New York: Simon & Schuster Paperbacks, 2007), p. 30.

⁸⁰ Ibid.

⁸¹ Annan, *Interventions: A Life in War and Peace*, p. 273.

⁸² Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*, p. 36.

⁸³ Ross, D., *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus and Giroux, 2005), p. 785.

⁸⁴ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 55.

⁸⁵ Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace*, p. 781.

⁸⁶ Kurtzer and Lasensky, *Negotiating Arab-Israeli Peace: American Leadership in the Middle East*, p. 21.

Administration into a real commitment to the peace process. For the US-Saudi relationship in particular, Bush's continued isolation of Arafat projected an implicit support for the policies of Sharon, and led to a diplomatic crisis in August 2001. Prince Bandar bin Sultan visited Bush on 27 August, carrying a message from the leadership in Saudi Arabia. According to Bob Woodward's account of the meeting, Prince Bandar relayed that the Crown Prince had 'tried to find many excuses for this Administration,' but had ultimately come to the conclusion that the President had let Ariel Sharon 'determine everything in the Middle East.'⁸⁷ Consequently, the Prince stated that:

The Crown Prince will not communicate in any form, type or shape with you, and Saudi Arabia will make all its political, economic and security decisions based on how it sees its own interest in the region without taking into account American interests anymore, because it is obvious that the United States has taken a strategic decision adopting Sharon's policy.⁸⁸

Bush immediately sought to re-assure the Saudis that the United States had not abandoned the Palestinians. In a letter sent to Riyadh two days later, Bush stated his firm belief that:

The Palestinian people have a right to self-determination and to live peacefully and securely in their own state, in their own homeland, just as the Israelis have the right to live peacefully and safely in their own state.⁸⁹

From a declaratory standpoint, Bush's private letter was the first time that a sitting US president had endorsed the creation of a Palestinian state. The reply from Riyadh on 6 September urged Bush to declare his position publicly, noting that such a declaration would 'eliminate the common impression prevailing in the region of a US bias towards Israel.'⁹⁰ Bush agreed, and, according to Woodward, made preparations to announce his position during his upcoming speech to the UN General Assembly in September 2001.

Former US Ambassador Daniel Kurtzer, during an interview with the author, argued that the letters exchanged between President Bush and the Saudis, just days before the attacks of 9/11, was a moment in which the trajectory of US involvement in the peace process may have changed, a 'what if?' moment:

⁸⁷ Woodward, *State of Denial*, p. 75.

⁸⁸ Ibid., pp. 75-6.

⁸⁹ Ibid., p. 76.

⁹⁰ Ibid.

Had there not been 9/11, would the Administration have actually activated their approach on the peace process? The answer is I don't know.⁹¹

For the Bush Administration, the 9/11 attacks crystallised the approach it would take towards both domestic security and the protection of US interests in the Middle East, an approach that increasingly saw those issues as being intertwined. As Bush later noted, 'in a single morning, the purpose of my presidency had grown clear: to protect our people and defend our freedom that had come under attack.'⁹² As Bush saw it, the best way to protect US citizens was to:

...force nations to choose whether they would fight the terrorists or share in their fate. And we had to wage this war on the offense, by attacking the terrorists overseas before they could attack us again at home.⁹³

In terms of the Administration's approach to the Israeli-Palestinian conflict, the new paradigm that emerged after 9/11 reinforced Bush's inclination to view Arafat as an obstacle to peace, and to further disengage from Arab-Israeli issues. According to Miller, Powell echoed this point at the time of the attacks, noting that they:

...changed the whole frame of reference in that we now, within a week, are engaged in a global war against terrorists, all terrorists... Hamas is a terrorist; Arafat's a terrorist. And if there's any doubt in our mind, Sharon will remind us on a regular basis that he is.⁹⁴

This proved to be the case when, in the days that immediately followed 9/11, the Israel Defense Forces (IDF) made incursions into Jericho, Jenin, Rafah and Ramallah, and Sharon began referring to Arafat as 'Israel's Bin Laden.'⁹⁵ The Bush Administration did not discourage this association, and even linked the 'War on Terror' to Israel's fight against Palestinian extremism when Condoleezza Rice declared that 'you can't condemn al-Qaeda and hug Hamas.'⁹⁶ For Bush, the 9/11 attacks reinforced his inclination to see the Middle East as the centre of a global ideological struggle and, importantly for Sharon, this led him to conclude that 'if the United States had the right to defend itself and prevent future attacks, other democracies had those rights too.'⁹⁷

⁹¹ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

⁹² Bush, *Decision Points*, p. 129.

⁹³ *Ibid.*, p. 137.

⁹⁴ Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 335.

⁹⁵ Mansour, "The Impact of 11 September on the Israeli-Palestinian Conflict," p. 13.

⁹⁶ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 134.

⁹⁷ Bush, *Decision Points*, p. 400.

In spite of this, when Bush delivered his postponed address to the UN General Assembly in November 2001 he kept his promise to the Saudi Crown Prince, and explicitly recognised the need for a Palestinian state:

The American government also stands by its commitment to a just peace in the Middle East. We are working toward the day when two states – Israel and Palestine – live peacefully together within secure and recognised borders as called for by the Security Council resolutions.⁹⁸

The fact that Bush's views on Arafat remained unchanged was made clear, however, when he went on to state that 'peace will only come when all have sworn off forever incitement, violence and terror.'⁹⁹ Thus, in the post 9/11 period, the notion of Palestinian reform became closely linked to calls for Palestinian statehood, and by early the following year, Bush was calling explicitly for Arafat's removal.¹⁰⁰

While the Bush Administration had called for the creation of a Palestinian state in November 2001, this had not addressed the pressing humanitarian concerns of the *intifada*, nor had it presented a US plan for de-escalating the violence and re-establishing dialogue between the parties.¹⁰¹ The reaction of the Arab community to Bush's speech at the time, therefore, was lukewarm. For the Administration, this reinforced the perception that US involvement in the peace process at this time would not be worth the necessary investment of political capital. As Rice later noted:

The President's speech was not exactly front-page news in the Arab press. Egypt, Jordan, and Saudi Arabia were so focused on the 'peace process' that they seemingly failed to notice that the President of the United States had called for the establishment of a State of Palestine. Years later, the Arabs would acknowledge the importance of what the president had done. But in this initial failure to credit the President's stance was an important lesson too: whatever you do for peace in the Middle East, it is never enough for the Arab parties.¹⁰²

UNSG Annan was particularly troubled by the Bush Administration's approach, and sought to revive the dormant political process:

⁹⁸ US Department of State, "US President Bush's Speech to the United Nations General Assembly," United Nations Headquarters, New York City: November 10 2001.

⁹⁹ Ibid.

¹⁰⁰ The so-called 'Rose Garden Speech' of 24 June 2002 is discussed in *Chapter Five: The Roadmap Process, 2002-2003*.

¹⁰¹ By the time of Bush's speech at the UN, the Quartet had already formed and begun acting collectively in the region. Thus, while the early focus of the Quartet members would be an attempt to build upon Bush's speech by proposing a framework for moving towards Palestinian statehood, the speech itself did not impact on the formation of the group.

¹⁰² Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 135.

It was no secret that President George W. Bush was not going to continue the hands-on engagement of Clinton, but I was taken aback by just how hands-off he chose to be. As the conflict of the second intifada raged in 2001, tearing up so much that had been so doggedly built over the past seven years, he basically watched.¹⁰³

The disengagement of the Bush Administration, therefore, created both an opening and an incentive for the inclusion of actors whose traditional role had been sidelined by US dominance of the peace process. As Indyk argued, a central requirement of active Quartet engagement in the peace process, as well as a driving force in its creation, was US disengagement:

The Quartet only ever comes into its own, and in fact was created, when the United States pulls back from active engagement in the peace process. At any other time that the US is actively involved, the entire role of the remaining Quartet members is to act as a kind of rubber stamp. When the United States pulls back from active engagement, that's when the Quartet has an opportunity to get more actively involved.¹⁰⁴

While Indyk's assessment is largely confirmed in the subsequent chapters of this thesis, a key point to clarify is that the other members of the Quartet did not enter the grouping in order to constrain the United States, nor were they under the impression that within the Quartet, the role of the United States would be equalised by the other members. US power both within and outside the Quartet was explicitly understood and accepted by the other Quartet members. Indeed, one of the central reasons for the formation of the Quartet, and a core principle of its work since forming, was the idea that the Quartet existed as a buffer between the parties to the conflict, and the 'abyss.' As a European official explained:

For the United States, it's convenient to know that if they step back that there isn't going to be a void, that there is going to be somebody to step in to fill in that void, and also that they're still involved in that step.¹⁰⁵

This raises the question, however, of how a grouping that *included* the United States could be a solution to the disengagement *of* the United States. In order to address this paradox, it is necessary to examine the divide between the Bush White House and Powell State Department in regard to the Israeli-Palestinian conflict.

The Organisational Context: The Secondary Logic of the Quartet for its Members

Leaving aside the case of the United States for a moment, it was clear that each of the Quartet members also sought, through membership, to amplify the individual political

¹⁰³ Annan, *Interventions: A Life in War and Peace*, p. 273.

¹⁰⁴ Indyk. Interview with the author, Washington, DC, November, 2011.

¹⁰⁵ EEAS Official. Interview with the author, Brussels, November, 2011.

role that their respective organisations played within the peace process. The organisational needs and interests of the Quartet members operated as a secondary set of motivational factors for the formation, and continuation, of the grouping.

When asked to account for the longevity of the Quartet despite numerous setbacks for the grouping within the context of the Israeli-Palestinian conflict, Terje Roed-Larsen replied that it had been ‘useful for the parties within the Quartet, but not necessarily useful for the parties to the conflict.’¹⁰⁶ This section seeks to explain why.

The US State Department and the White House

According to National Security Director Condoleezza Rice, when the Bush Administration took office in January 2001:

The differences in the administration between the decidedly pro-Israel bent of the White House and the State Department’s more traditional pro-Arab view percolated beneath the surface.¹⁰⁷

While Secretary of State Colin Powell began his appointment by outlining the new Administration’s ‘minimalist’ approach to the Israeli-Palestinian conflict, throughout 2001, and even more so later, a divide grew during his tenure between the approach of the State Department and that of the White House. This division extended to the point that when Powell resigned at the end of the first Bush term, the President was relieved:

I admired Colin, but it sometimes seemed like the State Department he led wasn’t fully on board with my philosophy and policies. It was important to me that there be no daylight between the President and the Secretary of State.¹⁰⁸

The ‘daylight’ between the Secretary of State and the President began to emerge in the Bush Administration’s approach to Yasser Arafat. According to Rice, the President was ‘disgusted’ by who he saw to be a ‘terrorist and a crook,’ and argued that the United States should ‘support Israel’s right to defend itself’ and ‘focus on what the nature of a Palestinian state would be.’¹⁰⁹ The State Department, on the other hand, argued that Arafat was, ‘despite all his failings, the leader of the Palestinian people and the key to any future peace.’¹¹⁰ According to Miller, as the violence in the Middle East escalated throughout 2001:

¹⁰⁶ Roed-Larsen. Interview with the author, New York City, October, 2011.

¹⁰⁷ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 55.

¹⁰⁸ Bush, *Decision Points*, p. 90.

¹⁰⁹ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 54.

¹¹⁰ Ibid.

Powell was the only advocate in the administration for doing anything on the Arab-Israeli issue, and he tried. But the constraints and costs of failing or going too far were clear.¹¹¹

Furthermore, Rice, despite being 'sympathetic' to Powell because 'he was on the front line every day,' sought to persuade the Secretary of State that '...any attempt to chart a new course in 2001 was likely to result in an outcome that would be so pro-Israeli as to inflame an already bad situation.'¹¹²

Thus, Powell's efforts to engage the US State Department in the Israeli-Palestinian conflict in 2001 were frustrated by the White House's sidelining of Arafat, and their sensitivity to Israeli security needs. Former UN envoy to the Quartet Alvaro de Soto argued that Powell's involvement in the Quartet was, therefore, a 'framework both diplomatically and conceptually designed to induce a reluctant US to agree to come back into the process from which it had stayed away studiously.'¹¹³

On this point it is important to distinguish between Powell's involvement in the Quartet as a means to encourage US engagement in the peace process *from* the White House, and US engagement *despite* the White House. As Kurtzer argued, if Powell sought to 'implicate the US' through his involvement in the Quartet, 'then he didn't understand the White House,'¹¹⁴ because 'you're not going to persuade the President to engage in the peace process because the Europeans want to make peace.'¹¹⁵ Thus, for Powell, the Quartet was more likely a mechanism for the US State Department to re-engage with the peace process *despite* the reservations of the Bush White House.¹¹⁶ Unsurprisingly, within the early work of the Quartet, this dichotomy was exposed.¹¹⁷

The Quartet formed, therefore, during a moment of mutual convenience in which the US Secretary of State sought to play a more active role in the MEPP, (despite the disengagement of the President) at the same time that actors such as the UNSG and the European Union sought to form an international response to the *intifada*. As one UN

¹¹¹ Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 330.

¹¹² Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 55.

¹¹³ de Soto. Interview with the author, New York City, October, 2011.

¹¹⁴ As Indyk remarked, 'don't forget who the President was...to think that the UN(!) was going to drag him into it?'. Indyk. Interview with the author, Washington, DC, November, 2011.

¹¹⁵ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

¹¹⁶ This is supported by the fact that the Quartet operates exclusively at a level beneath that of heads of state, and there has never been a 'supra-principal' meeting of the Quartet.

¹¹⁷ As is discussed in *Chapter Five*, Bush's Rose Garden Speech altered dramatically the discourse in regard to Palestinian political reform, and effectively superseded the Quartet's and Powell's efforts to work constructively with Arafat.

official summarised, 'the Quartet allowed the State Department to come back in, and the rest of us to have a seat at the table.'¹¹⁸

Russian Federation Objectives

The usefulness of rallying for a unified purpose the power of the United States, the treasure of the European Union and Russia's historic role in the region – players who might otherwise be tempted to act at cross-purposes – is evident.

- Alvaro de Soto, United Nations Special Coordinator for the Middle East Peace Process (2005-2007).¹¹⁹

de Soto's characterisation above includes the oft-cited justification for Russia's involvement in the Quartet as reflecting its 'historic role' in the Middle East. As the previous chapter has demonstrated, however, Russia's traditional role in the Middle East, especially during the Soviet period, was as a counter balance, and challenge, to the power and influence of the United States in the region. Furthermore, and particularly within the confines of the UN Security Council, Cold War competition often stifled attempts to coordinate international responses to regional issues, especially the Israeli-Palestinian conflict. Thus, citing Russia's 'historic role' as a justification for their inclusion in the Quartet is arguably an allusion to the fact that, as de Soto notes, if Russia was not included in the grouping, they could be a player that 'might otherwise be tempted to act at cross purposes.' The removal of Russia as a potential spoiler for Quartet initiatives, therefore, was an important factor that partly explained their inclusion in the grouping.

Here a clarification of Russian involvement in the Quartet is necessary, as there is a difference between examining why Russia was *included* in the Quartet, and why Russia *accepted* (and even sought) this inclusion. The latter is much less complicated than the former, and can be understood within the context of Russia's post Soviet objectives of enhancing, or restoring, its political role in the Middle East.¹²⁰ As Roed-Larsen noted, 'the Quartet is a forum where the Russians can have influence. If that forum was not there, Russia's interests would be minimised.'¹²¹

¹¹⁸ UN official. Interview with the author, Jerusalem, November, 2011.

¹¹⁹ de Soto, A., "The Role of the United Nations in the Middle East," in *Italianieuropi*, 2 July 2009.

¹²⁰ In a 2013 profile on Russian Foreign Minister Sergei Lavrov, Susan Glasser notes that: 'Lavrov's toughness comes from a very patriotic stance. He thinks there was a lost time in the '90s...He thought the '90s were humiliation for Russia, and his ambition is to restore the profile of Russia, its Foreign policy.' Glasser, S., "The Law of Politics' According to Sergei Lavrov: An Exclusive Interview with Russia's Top Diplomat," *Foreign Policy*, 15 May, 2013.

¹²¹ Roed-Larsen. Interview with the author, New York City, October, 2011.

For the Russians, membership in the Quartet provided the possibility of Russian influence in the peace process, and an opportunity to protect Russian interests, without any apparent cost. As a UN official noted, 'if there's an important multilateral body working on the Middle East, the Russians want to be part of it.'¹²² On this most basic level, the Quartet afforded Russia a seat at the table.¹²³

From the perspective of the other three Quartet members, Russia's inclusion in the Quartet served several purposes. Firstly, as previously stated, the inclusion of Russia removed a potential obstacle to Quartet initiatives, especially in the UN Security Council, which the Quartet members would later use to legitimise their collective initiatives.¹²⁴ The Russian envoy to the Quartet from 2001-05, Andrey Vdovin, when asked about the central accomplishment of the Quartet, encapsulated this idea:

The Quartet accomplished one main important thing: possible competition between the main international actors ceased and cooperation emerged. This prevented many misunderstandings and complications.¹²⁵

Despite Vdovin's assessment regarding the cessation of competition between the Quartet members proving to be somewhat premature, Russia's points of differentiation with the other Quartet members also factored into its inclusion in the grouping. As argued previously, in the post-Soviet era, Russia sought to cultivate relationships, mostly through the sale of military technology, with 'non-traditional' regional actors such as Syria and Iran.¹²⁶ Furthermore, Russia had strong historical ties to the PLO,¹²⁷ Lebanon, and Jordan, including diplomatic contact with non-state actors such as Hezbollah and Hamas.¹²⁸ Russia's network of regional diplomatic relationships, therefore, was perceived to be an asset to the work of the Quartet, especially in cases

¹²² UN official. Interview with the author, Jerusalem, November, 2011.

¹²³ Glasser, S., "Minister No: Sergei Lavrov and the Blunt Logic of Russian Power," *Foreign Policy*, 15 May, 2013.

¹²⁴ For example, as will be discussed in the subsequent chapter, UNSCR 1397 and 1515 were both resolutions that affirmed the involvement of the Quartet members within the context of the Israeli-Palestinian conflict.

¹²⁵ Vdovin, A., "Coexisting Peacefully with the US: An Interview with Andrey Vdovin," *Bitterlemons*, 17 July, 2003.

¹²⁶ Nizameddin, T., *Russia and the Middle East: Towards a New Foreign Policy* (New York: St. Martin's Press, 1999), pp. 145-81.

¹²⁷ In acknowledgement of the closeness of the Russia-PLO relationship, US secretary of state Warren Christopher invited Russian Foreign Minister Andrei Kozyrev to the signing ceremony (despite little Russian involvement in the Oslo process). During his address at the event, Kozyrev noted that: 'It should not be forgotten that, in the Arab world, relations with the United States have not always been positive, and it is important for Moscow to also lend support to new initiatives.' Freedman, R. O., "Israeli-Russian Relations since the Collapse of the Soviet Union," *Middle East Journal* 49, no. 2 (1995): p. 242.

¹²⁸ Freedman, R. O., Professor at Johns Hopkins University, interview with the author, Baltimore, USA, October, 2011.

where other members of the Quartet (notably the United States and the European Union) were constrained in their ability to interact publicly with certain regional actors.¹²⁹

Finally, during the period in which the Quartet formed, both the Russian Foreign Minister, Igor Ivanov, and his envoy to the Middle East, Andrey Vdovin, had been 'very active' in the region.¹³⁰ For example, the aforementioned meeting of the envoys in which Indyk briefed his counterparts on the new approach of the Bush Administration, was hosted by Michael Bogdanov, the Russian Ambassador to Israel, at his official residence.¹³¹ As European Quartet envoy Marc Otte recounted, in the period directly before the formation of the Quartet, 'the most used numbers in my mobile phone were my American colleague, my UN colleague, and my Russian colleague.'¹³² Furthermore, the notion of Russian inclusion in the Quartet was bolstered by the reputation of Russian diplomats in the region for being well-informed, professional, and diligent.¹³³

Thus, Russia's inclusion in the Quartet simultaneously reduced the likelihood of conflicting approaches to the Middle East peace process, while also adding the benefits of Russian diplomatic contacts and experience.

European Union Objectives

European participation in the Quartet was a means for expanding EU involvement in the Middle East peace process from the traditional approach, which focused on economic development and institution building, to one that also included visibility and influence within the political sphere.¹³⁴ Furthermore, in the context of the second *intifada*, EU involvement in the Quartet was a reaction to the traditionally dominant role of the United States within the peace process, and the growing calls in the region for the expansion of third-party involvement. Director of the Palestinian Authority Media Centre, Ghassan Khatib, argued that calls from within the region for a greater European political contribution reflected dissatisfaction with the US handling of the peace

¹²⁹ This would prove to be the case with Hamas, though European Envoy Marc Otte argued that 'with Hamas, [the Russians] always admitted that they were trying to moderate them and to make them more realistic, but they have always submitted that they have limited success.' Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

¹³⁰ UN official. Interview with the author, Jerusalem, November, 2011.

¹³¹ Indyk. Interview with the author, Washington, DC, November, 2011.

¹³² Otte. Interview with author, Brussels, November, 2011.

¹³³ de Soto. Interview with the author, New York City, October, 2011., Otte. Interview with author, Brussels, November, 2011.

¹³⁴ Asseburg, M., "The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership," *Mediterranean Politics* 8, no. 2 (2003): p. 187.

process.¹³⁵ However, It should be noted that through enhancing their own involvement, European officials were not aiming to replace the United States within the peace process, but were instead seeking to play ‘what they saw as their as their appropriate role on the world stage.’¹³⁶ As Khatib noted, ‘the Europeans didn’t see themselves as an alternative to the US, but I think they were no longer willing to be marginal.’¹³⁷

In essence, the European Union was moving towards playing an ‘active secondary position.’¹³⁸ This was explained partly, as previously stated, by the evolution of the structures for the creation of European Union foreign policy. For Javier Solana, the EU’s first HR for CFSP, involvement in the Quartet was a means to build upon the political momentum from his inclusion in the Sharm el-Sheikh Summit and subsequent position on its fact finding committee. Furthermore, when the second *intifada* began to destroy the infrastructure and institutions that the European Union had funded during the Oslo period:

The European Union realized that its approach, focusing on economic development, regional peace-building and Palestinian state and institution building, could not be effective in the absence of a genuine peace process.¹³⁹

Therefore, during the period in which the Quartet formed, playing a political role in any initiative seeking to deal with the underlying problems of the *intifada* became a European priority. When viewed as such, European involvement in the Quartet provided an opportunity for the HR to represent the views of the EU within the Middle East peace process.

In contrast to the other Quartet principals, between 2001 and 2007, the European Union had three principal level representatives: High Representative for Common Foreign and Security Policy, Javier Solana, European Commissioner for External Affairs, Chris Patten (followed by Benita Ferrero-Waldner) and the Foreign Affairs representative of

¹³⁵ Specifically, Khatib argued that: ‘Europe was behaving on the basis that the Middle East peace process was an American domain. Europe used to have different views, but never imposed them. They always took the American position, and followed the American position, for 20 years. When will the Americans realise that although they were given the mandate by the international community, they failed?’ Khatib, G., Former Director of Palestinian Authority Media Centre, interview with the author, Ramallah, Palestinian Territories, November, 2011.

¹³⁶ Heller. Interview with the author, Tel Aviv, November, 2011.

¹³⁷ Khatib. Interview with the author, Ramallah, Palestinian Territories, November, 2011.

¹³⁸ Said Aly, A., President of Al-Ahram Center for Political and Strategic Studies, interview with the author, Cairo, Egypt, November, 2011.

¹³⁹ Asseburg, “The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership,” p. 180.

whichever European power held the EU Presidency at the time.¹⁴⁰ These three representatives personified the division of power within the European Union, but were later amalgamated into a single position after the Treaty of Lisbon in 2007.¹⁴¹ The dynamics of these changes within the EU, as well as the views of the European Union's most powerful members, affected the way in which the European representatives were able to operate within the Quartet.

The Objectives of the UN Secretary General

By initiating the creation of the Quartet, I hoped to combine the legitimacy of the UN, the political power of the US, the financial resources of the EU and the regional prestige of Russia into an amalgamated diplomatic force – one in which I held the gavel and acted as the de facto chair.

- Kofi Annan, United Nations Secretary General (1997-2006).¹⁴²

For Kofi Annan, the Quartet was the result of a cultivated effort to re-involve the office of the UN Secretary General in the Middle East peace process. As the previous chapter established, throughout the 1990s, successive Secretaries General sought to address regional conflicts through the formation of loose coalitions of like-minded actors.¹⁴³ For Kofi Annan, the Quartet was the continuation of this practice applied to a conflict that, since the 1967 war, had excluded a political role for the Secretary General. In this sense, the UNSG's membership in the Quartet, as de Soto argued, can be viewed as 'the vindication and culmination of SG Annan's risky but successful effort over several years to regain Israel's confidence by helping it to be welcomed in the UN regional group system, and by erasing the Zionism=racism General Assembly resolution from the books.'¹⁴⁴ Despite this, the remaining difficulty for Annan was that:

A Secretary General cannot simply turn up and expect to be granted the space to play a political role between the Israelis and Palestinians. While many other actors wish to see a genuine multilateral approach, the United States is possessive of the file, and Israel does its best to keep others at bay.¹⁴⁵

¹⁴⁰ Throughout this period the European Union only had a single envoy. This position was held first by Miguel Moratinos, and later held by Marc Otte.

¹⁴¹ EEAS Official. Interview with the author, Brussels, November, 2011.

¹⁴² Annan, *Interventions: A Life in War and Peace*, p. 309.

¹⁴³ Whitfield, T., *Friends Indeed?: The United Nations, Groups of Friends, and the Resolution of Conflict* (Washington, DC: United States Institute of Peace Press, 2007).

¹⁴⁴ de Soto, A., "End of Mission Report," *The Guardian*, 12 June, 2007, p. 24.

¹⁴⁵ Annan, *Interventions: A Life in War and Peace*, p. 254.

For Annan, as mentioned previously, the invitation from Mubarak to attend the Sharm el-Sheikh Summit was the moment in which the office of the Secretary General was re-introduced into the Middle East peace process. However, as Annan recounted:

As it turned out, I had managed to win a UN seat at the peace table just as it was being upended. And with Clinton's departure, there was no US President keen to reset the table in a hurry.¹⁴⁶

Indeed, Bush viewed the United Nations as 'cumbersome, bureaucratic, and inefficient,' and subsequently appointed John Bolton as the US Permanent Representative to the UN.¹⁴⁷ According to Annan, 'Bolton was a Washington figure deeply hostile to the UN,' and his appointment was 'hardly a sign of support for me or the institution.'¹⁴⁸ Consequently, throughout 2001, Annan cultivated a working relationship with the Powell State Department that, in a moment of overlapping interests, also sought to become more involved in efforts to revive the peace process.

For the other members, the involvement of the UNSG raised the profile of the Quartet, and provided a legitimising effect on the work of the grouping.¹⁴⁹ The danger of this involvement, according to de Soto, was that if the Quartet adopted policies that clashed with the values of the United Nations, then the office of the Secretary General may be devalued.¹⁵⁰

¹⁴⁶ Ibid., p. 273.

¹⁴⁷ Bush, *Decision Points*, p. 336.

¹⁴⁸ Annan, *Interventions: A Life in War and Peace*, p. 300.

¹⁴⁹ Otte. Interview with author, Brussels, November, 2011.

¹⁵⁰ de Soto. Interview with the author, New York City, October, 2011.

Chapter Four: The General Practices of the Quartet, 2001-2011

We call on Chairman Arafat, as the recognised, elected leader of the Palestinian people, to undertake immediately the maximum possible effort to stop terror attacks against innocent Israelis.

- First Official Statement of the Quartet, April 2002.¹

By the spring of 2002, I had concluded that peace would not be possible with Arafat in power.

- George W. Bush, United States President (2001-2009).²

Introduction

The Quartet members began their work during a period of transition in the Israeli-Palestinian conflict. On 24 June 2002, President Bush delivered a speech in the Rose Garden of the White House in which he posited that the creation of a Palestinian state should be dependent upon the Palestinian people electing 'new leaders' that were 'not compromised by terror.'³ Bush argued that the 'Palestinian people live in economic stagnation...made worse by official corruption,' and that the Palestinian authorities were 'encouraging, not opposing, terrorism.'⁴ While not specifically naming Yasser Arafat, the speech sent a clear signal that the Bush White House had lost all faith in the PLO Chairman, and was seeking his immediate replacement as a prerequisite to progress in the peace process.

According to National Security Advisor Condoleezza Rice, the 'Arabists' in the State Department were 'appalled' by the speech, and their reaction reinforced the 'perception that the professionals in the Foreign Service didn't really back the President.'⁵ As Bush recounted, Secretary of State Powell expressed deep reservations about the content of the President's address, which he argued would 'embarrass Arafat and reduce the chance for a negotiated settlement.'⁶ The central point of differentiation between the approach of the White House and that of the State Department, therefore, was how to deal with Arafat within the context of the second *intifada*. In 2002 the State Department favoured a form of pragmatic engagement, while the White House favoured strategic

¹ US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana," Madrid, Spain: 10 April, 2002.

² Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), p. 401.

³ US Department of State, "President Bush Calls for New Palestinian Leadership," Washington, DC: 24 June, 2002.

⁴ Ibid.

⁵ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 145.

⁶ Bush, *Decision Points*, p. 404.

isolation and replacement. As former State Department official Aaron David Miller argued:

The speech reflected the tensions between a State Department that was wedded to traditional diplomacy and still hoped for serious engagement with Israelis and Palestinians and a US vision on permanent status, and a White House focused on transformative diplomacy, especially regime change, and democratisation.⁷

For Bush, a core rationale for proceeding with the speech, despite the objections of the State Department, was Arafat's involvement with a shipment of arms, believed to have originated in Iran and to be bound for Gaza, which had been intercepted by the Israeli navy in January 2002.⁸ In a joint press conference with Israeli Prime Minister Ariel Sharon soon after the seizure of the *Karine A*, Bush declared that:

Mr. Arafat has heard from us. I can't be any more clear...he must do everything in his power to fight terror. Obviously, we were, at first, surprised, and then extremely disappointed when the *Karine A* showed up loaded with weapons, weapons that could have only been intended for one thing, which was to terrorize.⁹

Arafat denied authorising the shipment, writing to Bush that 'the smuggling of arms is in total contradiction of the Palestinian Authority's commitment to the peace process,' but Bush was unconvinced.¹⁰ Any remaining confidence he had in the PLO Chairman evaporated. As Bush noted, 'Arafat had lied to me. I never trusted him again. In fact, I never spoke to him again.'¹¹

By June of 2002, Bush's distrust for Arafat had reached the point of no return.¹² In a meeting with Sharon two weeks before his Rose Garden speech, Bush informed the Israeli Prime Minister that the United States would insist on reforms within the

⁷ Miller, A. D., *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace* (New York: Bantam Books, 2008), p. 347.

⁸ The so called 'Karine A' affair, named after the ship in question, centered around the transfer of weapons and ordnance to the PA, allegedly from Iranian sources, that contravened the Oslo Accord's limitations on Palestinian security buildups. The shipment contained rockets with 80km ranges, 122mm mortars, anti-tank and anti-aircraft missiles, Katyusha rockets, and explosives. For an examination of the affair, see: Bregman, A., *Elusive Peace: How the Holy Land Defeated America* (London; New York: Penguin, 2005), 168.

⁹ US Department of State, "Remarks by President George Bush and Prime Minister Ariel Sharon in Photo Opportunity," White House: 7 February, 2002.

¹⁰ Bush, *Decision Points*, p. 401.

¹¹ Ibid.

¹² The next chapter demonstrates that between the time of the *Karine A* affair and Bush's 24 June speech, there were several instances where Bush appeared to be giving Arafat a 'final chance' to show leadership on security issues. The definitive point of no return appears to have been after the 6 May 2002 visit of Israeli PM Sharon to Washington, in which he reportedly presented hard evidence to the American president of Arafat's involvement in the *Karine A* affair and other so-called terrorist activities.

Palestinian Authority as a prerequisite to peace negotiations.¹³ According to Rice, this was 'music to Sharon's ears,' and the only condition that Bush placed on the Israeli leader was that he should not kill Arafat.¹⁴

The subsequent Rose Garden speech offered a window into the policy mindset of the Bush Administration in the early post 9/11 landscape, where there was an apparent conflation between combating Palestinian violence against Israel and other regional objectives such as increasing pressure on, and continuing the isolation of, Iran and Iraq. As Bush stated:

Every nation actually committed to peace will stop the flow of money, equipment and recruits to terrorist groups seeking the destruction of Israel – including Hamas, Islamic Jihad, and Hezbollah. Every nation actually committed to peace must block the shipment of Iranian supplies to these groups, and oppose regimes that promote terror, like Iraq.¹⁵

In the concluding section of the speech Bush made the linkage explicit, when he remarked that he could understand the deep anger and anguish of the Israeli people because 'the Palestinian Authority had rejected your offer at hand and trafficked with terrorists.'¹⁶

For the members of the Quartet, the Rose Garden speech was a marked departure from the central premise of their first statement, only two months earlier, which had advocated engagement with Arafat and had called on him personally to 'dismantle terrorist infrastructure, including terrorist financing, and to stop incitement to violence.'¹⁷ The Quartet members sought to apply pressure on the Palestinian leader, rather than to seek his replacement, as a means through which to improve the security situation in the region:

We call on Chairman Arafat to use the full weight of his political authority to persuade the Palestinian people that any and all terrorist attacks against Israelis should end immediately and to authorize his representatives to resume immediately security coordination with Israel.¹⁸

¹³ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 142.

¹⁴ Ibid.

¹⁵ US Department of State, "President Bush Calls for New Palestinian Leadership."

¹⁶ Ibid.

¹⁷ US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana."

¹⁸ Ibid.

The fact that Bush made no mention of the Quartet in his later Rose Garden speech, and instead presented a contrasting approach to relations with Arafat, was illustrative of the difficulties faced by the members. From 2001-2011, the Quartet members were frequently sidelined by the parties to the conflict and by initiatives put forward by the United States, which remained the principal interlocutor within the context of the Middle East peace process. This process was compounded further by the ongoing divide between the White House and State Department in the first Bush Administration, which resulted in inconsistency in Washington and confusion between the Quartet members.

Thus, the events surrounding the 24 June Rose Garden speech exemplified the challenges faced by the Quartet members from 2001-2011, in that the grouping was frequently forced to operate in a *reactive* capacity to circumstances emanating from both the Middle East and from abroad. By exploring the complex and highly contextual working environment of the Quartet members from 2001-2011, especially the fundamental constraining factors of involvement in the Middle East peace process, the subsequent chapters establish that the outputs of the grouping were affected consistently by challenging external circumstances.

The Functioning of the Quartet: General Practices 2001-2011

Nothing can happen in the Quartet unless everyone agrees, by definition. The Quartet cannot do anything without consensus.

- United Nations official.¹⁹

At public briefings, the Quartet issued consensus statements, which were primarily driven by requirements of the United States, but I was not shy when speaking at Quartet press conferences in also emphasising my own independent positions as Secretary General.

- Kofi Annan, United Nations Secretary General (1997-2006).²⁰

The Quartet meetings from 2001-2011 functioned as a platform for diplomacy between the members, and were scheduled on a largely *ad hoc* basis. The only trend in the timing of Quartet meetings was the consistency with which the principals assembled in conjunction with the United Nations General Assembly period, around September each year.²¹ In addition to this standing arrangement, the Quartet members also met frequently on the fringes of other large international gatherings, such as donor

¹⁹ UN official. Interview with the author, Jerusalem, November, 2011.

²⁰ Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 275.

²¹ This practice has occurred in every year of Quartet operation.

conferences.²² When faced with scheduling constraints, the Quartet principals met via teleconference, especially in response to circumstances that required immediate discussion and action.²³

While the agenda for the Quartet meetings was often set in response to particular developments within the context of the MEPP, in general the driving force for the meetings was the coordination of the Quartet envoys, who spoke much more frequently than the principals and who 'constantly exchanged information' about the evolving situation in the region.²⁴ When meetings were scheduled, the envoys usually met the day before the principals, in order to explore options for common positions, and to highlight the areas of potential disagreement to be rectified at the principal level.²⁵

Generally speaking, any individual Quartet member could convene a meeting of the grouping, but this process was dependent on the conditions both in the region and beyond, and was subject to agreement from the other Quartet members. As a UN official involved in the Quartet noted:

There's no consistent practice for convening meetings. The Quartet sort of lies there, and anyone who wants to activate it can, with the consent of the others. And every player is sensitive to where the others are. So in the peace process, usually if the Americans are in the saddle on the horse, then the Americans also guide how the Quartet will interact.²⁶

Unsurprisingly, as the most powerful member of the Quartet, the United States frequently set the agenda for the meetings of the grouping, and it was common practice for US State Department officials to write the draft statement to be discussed at the envoy level.²⁷ As Roed-Larsen argued, this did not mean that the other envoys accepted the US draft in its original form, but rather that it was often used as the starting point for discussions:

²² For example, the London conference on Palestinian state-building held in March 2005, and the Paris donor conference of December 2007.

²³ For example, the teleconference that occurred between Quartet Principals on 16 June 2007 in response to Palestinian President Mahmoud Abbas calling a state of emergency and dissolving his cabinet. See: US Department of State, "Statement of the Quartet," Washington, DC: 16 June, 2007.

²⁴ Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

²⁵ Some Quartet statements acknowledge the contributions of the envoys, and urge their continued coordination in advance of the meetings of the principals. See: US Department of State, "Joint Statement of the Quartet," Berlin, Germany: 30 May, 2007.

²⁶ UN official. Interview with the author, Jerusalem, November, 2011.

²⁷ de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

The Americans were the key player in the group. Most of the time, particularly when the meetings were in New York or in Washington, the Americans came to the envoys individually with a draft and we looked at it and we changed things around a little. Then we had a meeting about it, and we quarrelled and haggled over it.²⁸

According to Quartet insiders, there were also numerous occasions where each Quartet member entered a meeting with their own draft statement, and the group then attempted to form a common position from the areas of agreement.²⁹ This process was inherently political, and the United States consistently influenced the general direction of the Quartet statements.³⁰ It should be noted, however, that no Quartet statement was ever published without the full agreement of each Quartet member. Thus, while the United States had an enhanced ability to persuade the other members of the grouping, it could never do so without their consent. As a UN official noted, 'if you don't allow yourself to be coerced, you won't be coerced. If you feel it's better to compromise in the situation, then you will.'³¹

Indeed, in circumstances where the members of the Quartet were least able to reconcile their differing positions, the meeting either resulted in no joint statement, or in a statement that represented only the areas of agreement. As a European External Action Service official noted, this type of statement was the 'lowest common denominator.'³² Ironically, therefore, the nature of consensus within the Quartet dictated that the grouping was usually least able to form a common position on the most contentious issues, where such a position might arguably have the greatest impact. Furthermore, when the Quartet members formed a common position on a contentious issue that later warranted revision, they were bound equally by the dictates of consensus to *alter* their position.³³ When presented with this paradox, the same EEAS official posed a question in reply: 'What would be the alternative to consensus?'³⁴

²⁸ Roed-Larsen, T., Former United Nations Special Coordinator for the Middle East peace process, interview with the author, New York City, October, 2011.

²⁹ In particular, this practice was described by de Soto, Roed-Larsen and Otte in interviews with the author.

³⁰ Kurtzer, D., Former United States Ambassador to Israel, interview with the author, Princeton, NJ, October, 2011.

³¹ UN official. Interview with the author, Jerusalem, November, 2011.

³² Joutet, C., Middle East Advisor, European External Action Service (EEAS), interview with the author, Brussels, November, 2011.

³³ This particular aspect of Quartet functionality exacerbated tensions within the grouping in 2006, when the so-called 'Quartet conditions' on the newly elected Hamas government proved difficult to modify or walk back from in the years that followed. This process is a key focus of *Chapter Seven*.

³⁴ EEAS Official. Interview with the author, Brussels, November, 2011.

For the Quartet members, therefore, the meetings were a forum for expressing and potentially rectifying differences of opinion, for briefing each other on individual efforts within the context of the MEPP, and for formulating common responses or initiatives to changing regional circumstances.³⁵ The fact that these meetings frequently ended in disagreement or resulted in statements that represented the lowest common denominator between the Quartet members was reflective of both the complexities of the issues, and the nature of international diplomacy.³⁶

Despite this, the pressure to produce a common position after Quartet meetings was felt keenly by the members, especially when the absence of a statement was interpreted by the media as evidence of discord. European Union official Christian Jouret argued that on occasions where the Quartet members were unable to issue a joint statement, the international media sought immediately to clarify the nature of the disagreements, and to pursue stories about Quartet disunity. Indeed, as the subsequent chapters demonstrate, many of the more revealing responses given by the Quartet members occurred during press conferences following Quartet statements. For this reason, Jouret argued, the Quartet members often issued generic statements that 'gave them peanuts' in order to avoid the need for further explanations.³⁷ A UN official confirmed Jouret's account:

Very often a statement is issued because there happens to be a meeting. Partly it's because there is an event, or something which we feel we need to react to, and partly it's because there's media and we need to say something.³⁸

In light of this practice, and in response to criticisms centred around the role of the UNSG within the Quartet, former Quartet envoy Alvaro de Soto argued, in his aforementioned End of Mission Report, that the Quartet should jettison the practice of issuing statements altogether. He stated that this would '...gradually make the Quartet a forum for comparing notes and consulting on policy, more like a contact group, thus avoiding placing its members in difficult situations.'³⁹

³⁵ This practice was common during 2009 and 2010, when the US envoy to the peace process, George Mitchell, would frequently brief the other Quartet members on his efforts to re-start direct negotiations between the parties. For one example, see: US Department of State, "Quartet Statement from the June 26, 2009 Meeting in Trieste," Trieste, Italy: 26 June, 2009.

³⁶ In figure 2 below, the longest periods of Quartet inactivity are demonstrated to coincide with events that divided the Quartet members.

³⁷ Jouret. Interview with the author, Brussels, November, 2011.

³⁸ UN official. Interview with the author, Jerusalem, November, 2011.

³⁹ de Soto, A., "End of Mission Report," *The Guardian*, 12 June, 2007, p. 34.

As the central means through which the Quartet members attempt to exert normative influence on the parties to the conflict, the statements of the grouping have remained a continual occurrence. Indeed, the year in which de Soto offered this advice saw the Quartet members produce their greatest number of statements as a collective, and the practice has shown no signs of being discarded since.⁴⁰ Furthermore, according to Roed-Larsen, the process of authoring joint statements was an important step in the early solidification of the Quartet as a grouping, and the practice underpins their continuing cooperation.⁴¹

Between April 2002 and January 2011, the Quartet members issued 47 official statements.⁴² As the subsequent chapters demonstrate, each Quartet statement was issued within a specific regional and organisation context. By examining the language employed by the members within these contexts, much can be extrapolated regarding the internal dynamics of the grouping. Furthermore, because the Quartet statements were written, first and foremost, with the parties to the conflict as the intended audience,⁴³ the texts now function as both an archive of Quartet diplomatic initiatives, and an importance resource for analysis of the outputs of the grouping within the context of the MEPP.

While the specific content of the Quartet statements informs the subsequent analysis of the inner workings of the grouping, the frequency with which the statements were issued also provides insight into the flexible working patterns of the members during this period. Figure 1, below, presents the frequency that the Quartet members issued joint statements between 2002 and 2011.⁴⁴

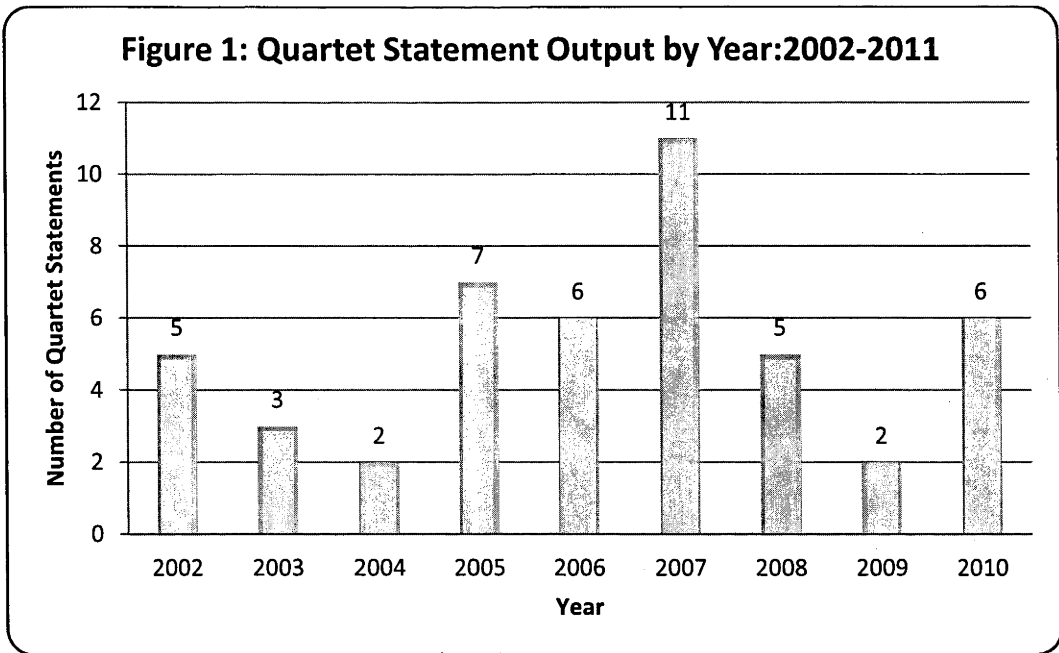
⁴⁰ On average, from 2001-2011, the Quartet issued five statements per year. In 2007 the grouping issued 11 statements. See figure 1 and 2 below for data on the frequency of Quartet statements during this period.

⁴¹ Roed-Larsen. Interview with the author, New York City, October, 2011.

⁴² Almost all Quartet statements referenced in this thesis are attributed to the US Department of State archive. The citation of these documents is not intended as a comment on the role of the United States within the Quartet. Indeed, many of these statements are also hosted online by the Israeli Department of Foreign Affairs, the United Nations and the European Union. The choice to attribute Quartet statements to the US Department of State is a matter of expediency, and consistency rather than a comment on the authorship of the statements. Alternatively, the United Nations database hosts all Quartet communiqués in one location, and can be accessed at: <http://unispal.un.org/unispal.nsf/sfq?OpenView> [Last accessed 4 January 2014]

⁴³ Roed-Larsen. Interview with the author, New York City, October, 2011.

⁴⁴ As previously stated, despite forming in 2001 the Quartet did not release its first official, principal level, statement until April 2002.

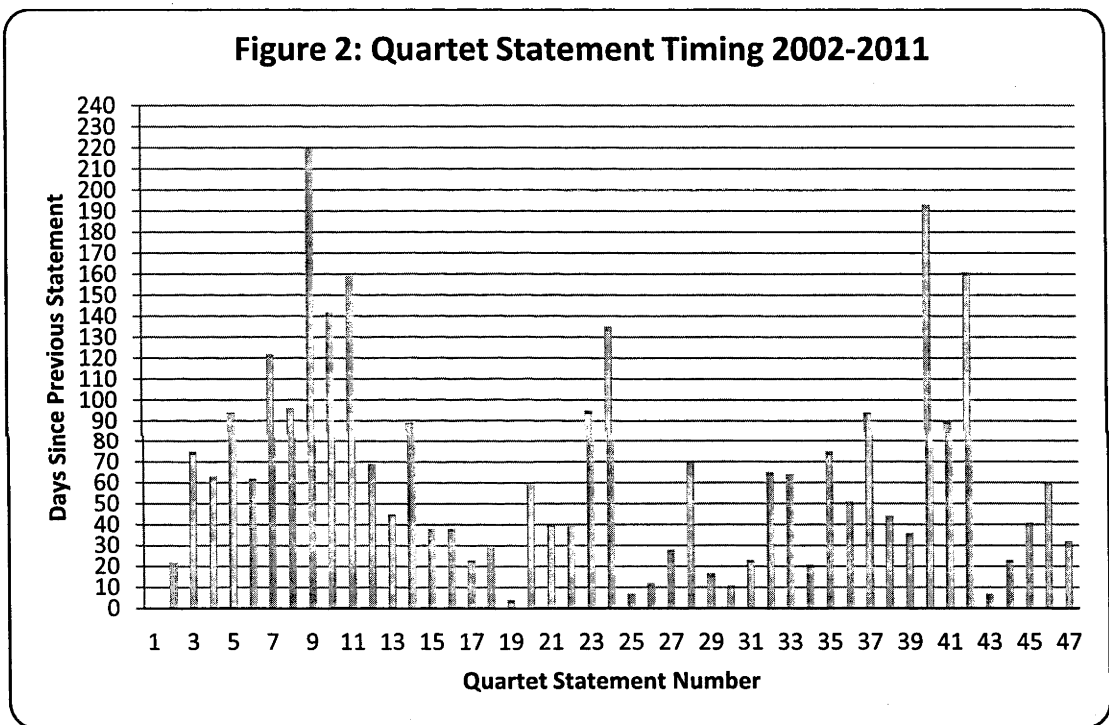


As has been established previously, the ability of the Quartet members to form a common position, as well as their motivation to schedule meetings, was affected heavily by contemporary regional circumstances. Periods of reduced Quartet activity coincide with regional circumstances that made common positions by the members difficult or unproductive. In essence, during the periods where the Quartet members issued the least statements, the members were either unable to meet, disinclined to meet, or did meet, but were unable to form even a modest common position.

From Figure 1, several limited observations regarding the output of the Quartet members are possible. Firstly, it is apparent that the work of the Quartet members, especially their production of joint statements, fluctuated over time. Secondly, in 2003, 2004, and 2009, it is clear that the Quartet members met infrequently and were less able to form common positions. Finally, in 2007 the Quartet members produced a spike in activity, issuing more statements than in any other year. The dips in Quartet activity in 2003 and 2004 can be attributed directly to developments centred around the decline of the Roadmap process, the announcement by Israeli PM Ariel Sharon of his intention to withdraw from the Gaza Strip and the letters of agreement exchanged between Bush and Sharon on the question of Israeli settlements in the West Bank. In 2009 the drop in Quartet activity coincided with the Israeli incursion into Gaza, ‘Operation Cast Lead’, the election of Benjamin Netanyahu as Prime Minister, and the election of Barack Obama as President. Furthermore, the relative spike in Quartet activity in 2007 can be

attributed to a conscious process of *re-energisation* by the members, prescribed by departing UNSG Annan in his 2006 End of Mission Report.⁴⁵

Figure 2, below, demonstrates further the reactive and context driven nature of the work of the Quartet members during this period. It shows the delay, in days, between each of the 47 Quartet statements issued from 2002-2011. While Figure 1 highlights the general output of the Quartet members over the period of analysis, Figure 2 demonstrates a steadily increasing trend of delays between Quartet statements during the early work of the grouping, culminating in the longest delay, between the eighth and ninth statement, of 220 days. This delay, between 26 September 2003 and 4 May 2004, coincided with the exchange of letters between Bush and Sharon.



There were two other key periods of Quartet inactivity. The first was around the 24th statement, specifically between 20 September 2006 and 2 February 2007, which coincided with violence between the key Palestinian factions, and the departure of the Annan from the grouping. The second period was around the 40th, 41st, and 42nd statements, spanning from 15 December 2008 to 24 September 2009. During this time, the Quartet members struggled to produce common positions within the context of the Israeli operation 'Cast Lead' in Gaza, the election of Benjamin Netanyahu and his

⁴⁵ United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006.

controversial speech at Bar Ilan University, and the period of recalibration of US foreign policy following the election of Barack Obama.

While these events are discussed in greater detail in the subsequent chapters, it is important to emphasise the correlation between challenging circumstances in the Middle East and the ability of the Quartet members to form and articulate common responses to them. As this thesis argues, the work of the Quartet members during the period of analysis was a complex balancing act that was highly dependent on both regional and internal factors. Accordingly, the next chapter is an examination of the work of the Quartet in 2002 and 2003 that examines the authorship of the Roadmap document, and early efforts to implement the plan.

Chapter Five: The Roadmap Process, 2002-2003

The road map was intended to re-energize the peace process by addressing the perceived weaknesses of Oslo while retaining its broad political outline.

- Kofi Annan, United Nations Secretary General (1997-2006).¹

In the end the only real problem with the road map was that neither the Americans, the Israelis, nor the Palestinians were serious about implementing it.

- Aaron David Miller.²

Introduction

The early work of the Quartet members was affected by several overlapping developments within the context of the Middle East peace process. In particular, 2002 saw a dramatic increase in violence associated with the second *intifada*, and an associated freeze in relations between the Bush Administration and PLO Chairman Yasser Arafat. For the Quartet members, this period required a strategy for addressing the underlying causes of the escalating violence and promoting the resumption of a political process while, at the same time, reconciling the divergent views among its members regarding Arafat's ongoing leadership.³ It was within this context that the formation of the Quartet was recognised by the United Nations Security Council in UNSCR 1397, adopted on 12 March 2002.⁴ The preamble read:

*Welcoming and encouraging the diplomatic efforts of special envoys from the United States of America, the Russian Federation, the European Union and the United Nations Special Coordinator and others, to bring about a comprehensive, just and lasting peace in the Middle East.*⁵

The resolution also called for an immediate cessation of acts of violence between the Israelis and Palestinians, and expressed 'support for the efforts of the Secretary-General

¹ United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006, p. 3.

² Miller, A. D., *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace* (New York: Bantam Books, 2008), p. 352.

³ As discussed previously, the *Karine A* affair, and the tenability of Arafat's continued leadership dominated the discourse of the Middle East peace process in early 2002

⁴ Through the period of Quartet activity, the UN Security Council and the grouping would often mutually reinforce each other's initiatives. For example, in the first Quartet statement, UNSG Annan declared that 'Respect for decisions of the Security Council is the most basic requirement of international legitimacy.' The statement would later go on to affirm support for resolution 1397. See: US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana," Madrid, Spain: 10 April, 2002.

⁵ United Nations Security Council, "Resolution 1397: The Situation in the Middle East, Including the Palestinian Question," S/RES/1397: 12 March, 2002.

and others to assist the parties to halt the violence and to resume the peace process.⁶ Yet to issue their first statement, however, the Quartet members faced serious diplomatic challenges in the period following UNSCR 1397.

This chapter seeks to answer the question, *what were the outputs of the Quartet in 2002 and 2003?*

It argues that the divisions within the Bush Administration complicated the efforts of the non-US Quartet members to present a cohesive and persuasive front to the parties to the conflict, and that this process was further complicated by the continuation of the established US role as the primary third-party interlocutor. Furthermore, this chapter argues that despite the proactive involvement of the Quartet members in the authorship of the Roadmap document, their ability to enforce the implementation of the plan was severely hindered by the inherent characteristics of the grouping itself, and the responses of the parties to the conflict. Consequently, the Roadmap process acted as a catalyst for early Quartet activity, and later as an impediment to the continuation of the grouping.

This chapter is divided into two chronological sections. The first section examines the events of 2002, including the Arab Peace Initiative, the first official Quartet statement and President Bush's 24 June Rose Garden speech. The second section examines the events of 2003, including the official launch of the Roadmap process, and the politics of both the Israeli and Palestinian responses to the document.

⁶ The Resolution was also notable for 'Affirming a vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders.' Ibid.

2002: Palestinian Reform and the Leadership of Yasser Arafat

The Palestinian leadership must arrest, prosecute and punish the perpetrators of terrorist acts. The Palestinians must live up to the agreements they have made to do so. They must be held to account when they do not.

- Colin Powell, United States Secretary of State (2001-2005).⁷

I wanted to find a way to make clear to the Israeli people that the Arabs don't reject or despise them. But the Arab people do reject what their leadership is now doing to the Palestinians, which is inhumane and oppressive. And I thought of this as a possible signal to the Israeli people.

- Crown Prince Abdullah bin Abdul Aziz Al-Saud on the 'Arab Peace Initiative'.⁸

In February 2002, frustrated by what they saw as a lack of US engagement with the Middle East peace process, the Saudis signalled their intention to propose a plan to end the Arab-Israeli conflict.⁹ In the following month, the violence of the second *intifada* claimed the lives of 239 Palestinians, and, in 17 separate suicide bomb attacks, 133 Israelis.¹⁰ In response, on 28 March 2002, the 'Arab Peace Initiative' (API) was approved unanimously by the members of the Arab League who attended the Beirut Summit.¹¹ The initiative offered full peace and the normalisation of relations between each of the Arab states and Israel in exchange for a complete Israeli withdrawal from the territories occupied since 1967, the achievement of a 'just solution to the Palestinian refugee problem to be agreed upon in accordance with U.N. General Assembly Resolution 194,' and the acceptance of a Palestinian state in the West Bank and Gaza (with a capital in East Jerusalem).¹² Given the lack of specificity of the API, the document functioned more as a diplomatic opening than as a concrete peace plan.¹³ As Annan remarked later:

⁷ US Department of State, "United States Position on Terrorists and Peace in the Middle East," Remarks at the McConnell Center for Political Leadership, University of Louisville, Kentucky: 19 November, 2001.

⁸ Friedman, T. L., "An Intriguing Signal From the Saudi Crown Prince," *The New York Times*, 17 February, 2002.

⁹ Ibid.

¹⁰ The month came to be known as 'Black March.' See: Bregman, A., *Elusive Peace: How the Holy Land Defeated America* (London; New York: Penguin, 2005), p. 176.

¹¹ For an English translation of the API, see: "Arab Peace Initiative: Full Text," *The Guardian*: 29 March, 2002.

¹² Ibid.

¹³ Agha and Malley argue that: 'Rather than provide the substance of an agreement, it was a roundabout way of inviting Israelis, Palestinians, Syrians, and Lebanese to sit down and sort out their disputes and it was implicitly a way of saying that whatever they can agree on will be regionally rewarded and protected.' See: Malley, R. and Agha, H., "The Road From Mecca," *The New York Review of Books*, 10 May, 2007.

To this day, the Abdullah proposal remains the most compelling Arab offer on the table, offering the Israelis something far larger than a literal agreement with the PLO.¹⁴

One irony of the Arab Peace Initiative was that the same violence and mistrust between the Israelis and Palestinians that had motivated the Arab community to adopt the proposal, was also the key factor that made the implementation of the plan extremely difficult. In other words, the initiative made the normalisation of relations between the Arab states and Israel contingent upon a prior peace agreement between the Israelis and Palestinians, which at that time was far from likely. As Rice recounted:

It was a bold proposal and could have been an important point of departure for negotiations. The Saudis would later express their disappointment that we hadn't responded favourably to the Crown Prince's efforts. But the timing could not have been worse. Sharon had been elected to defeat the intifada—not to make peace. There was no trust in Arafat as a partner, an assessment we shared.¹⁵

US and Israeli trust in Arafat's ability to combat Palestinian political violence was damaged further, on 29 March 2002, by the Park Hotel terrorist attack, which occurred the day after the release of the Arab Peace Initiative. Carried out by Hamas operative Abdel-Basset Odeh, the attack killed 29 and wounded 150 Israelis, who had gathered for a Passover celebration.¹⁶ In a press conference immediately afterwards, Secretary of State Powell was clear about the impact of terrorism on the peace process, stating that 'nothing can get started, no political process can take hold, in the presence of this kind of continued terrorist activity.'¹⁷ At the same time, the repercussions of the attack were being discussed in an emergency Security Cabinet meeting chaired by the Israeli Prime Minister.¹⁸ According to close advisor Danny Ayalon, during the meeting Sharon remarked that:

From now on we do not rely on Palestinian promises to fight terror, we do not rely any more on Palestinian steps, and we don't expect anything from the Palestinians to stop terror... we have to take it upon ourselves.¹⁹

¹⁴ Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 276.

¹⁵ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 136.

¹⁶ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 182.

¹⁷ US Department of State, "Briefing on Situation in the Middle East: Secretary Colin L. Powell," Washington DC: 29 March, 2002.

¹⁸ Powell stated in his press conference that he had spoken to Sharon briefly, but that the Israeli leader was still in his cabinet meeting. See: Ibid.

¹⁹ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 185.

Operation Defensive Shield

The Israeli response to the Park Hotel attack became known as 'Operation Defensive Shield,' and included a re-occupation of the major cities of the West Bank, and a siege on Arafat's *Muqata* compound in Ramallah.²⁰ Despite Sharon giving Bush assurances that he would not kill Arafat, Powell noted that he and the President were 'gravely concerned' by the situation in Ramallah.²¹ Furthermore, in a stark point of differentiation with the White House, Powell continued to emphasise the importance of Arafat to resolving the current impasse:

Chairman Arafat is the leader of the Palestinian people, and his leadership is now even more central to trying to find a way out of this tragic situation.²²

Bush's response to the events of March 2002 came six days later, when he announced that he was sending the Secretary of State to the region.²³ Three months before his 24 June speech, Bush's address on 4 April was an important precursor to the coming policies of his Administration, as well as those of the other Quartet powers. Despite the violence that had followed its announcement, Bush began by praising the Arab Peace Initiative.²⁴ Bush also noted his disapproval of 'Operation Defensive Shield,' and called for Israel to 'halt incursions into Palestinian-controlled areas and begin the withdrawal from those cities it has recently occupied.'²⁵ On the point of Arafat's confinement to his compound in Ramallah, however, Bush's position differed from that of the State Department:

The situation in which he finds himself today is largely of his own making. He's missed his opportunities, and thereby betrayed the hopes of the people he's supposed to lead. Given his failure, the Israeli government feels it must strike at terrorist networks that are killing its citizens.²⁶

On 9 April 2002, Powell spoke to the press en-route to Madrid, where the Quartet would soon issue its first statement. He stressed the importance of staying in touch with

²⁰ Within three weeks, 300 Palestinians and 32 IDF soldiers died as a result of Operation Defensive Shield. See: Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 342.

²¹ US Department of State, "Briefing on Situation in the Middle East: Secretary Colin L. Powell."

²² Ibid.

²³ Importantly, the speech called also for a halt in settlement construction. Bush stated that 'consistent with the Mitchell plan, Israeli settlement activity in occupied territories must stop.' See: US Department of State, "President to Send Secretary Powell to Middle East," The Rose Garden, Washington, DC: 4 April, 2002.

²⁴ Bush stated that: 'The recent Arab League support of Crown Prince Abdullah's initiative for peace is promising, is hopeful, because it acknowledges Israel's right to exist. And it raises the hope of sustained, constructive Arab involvement in the search for peace.' Ibid.

²⁵ Ibid.

²⁶ Ibid.

Arafat, and laid out his intention to speak with the Chairman 'if it is at all possible.'²⁷ Powell went on to emphasise that in his coming visit to the region he would make clear to Arafat that 'this is the time to act with total seriousness.'²⁸

The First Quartet Statement

The first Quartet statement, issued on 10 April 2002, was written during challenging regional and organisational circumstances. Arafat was physically and politically isolated, Israel had reoccupied much of the West Bank, and Powell had been sent to the region to try to reinstate calm. The Quartet statement began in similar fashion to Bush's 4 April 2002 speech, by praising the Arab Peace Initiative as a 'significant contribution towards a comprehensive peace.'²⁹ On the topic of 'Operation Defensive Shield' and the ongoing siege on the *Muqata* compound, the statement was direct:

We call for an immediate, meaningful cease-fire and an immediate Israeli withdrawal from Palestinian cities, including Ramallah, specifically including Chairman Arafat's headquarters.³⁰

Alongside urging adherence to the Mitchell Report's recommendations, including an 'end to all settlement activity,' the first Quartet statement also included a passage that provided insight into the discussions of the group, and the future direction of its work:

We affirm that there must be immediate, parallel and accelerated movement towards near-term and tangible progress, and that there must be a defined series of steps leading to permanent peace involving recognition, normalisation and security between the sides, an end to Israeli occupation, and an end to the conflict.³¹

Thus, notions such as parallelism and clearly defined steps that would be the critical foundations of the Roadmap were present in the first work of the Quartet members. Concluding their first statement, the members of the Quartet affirmed their commitment to continue working together:

We agreed on the need to keep the situation in the Middle East under review by the Quartet at the principals level through regular consultations. Our Special Envoys will continue their efforts on the ground to assist the parties in reaching an end to confrontation and resumption of political negotiations.³²

²⁷ US Department of State, "Press Briefing on Board Plane," En Route, Madrid: 9 April, 2002.

²⁸ Ibid.

²⁹ US Department of State, "Remarks with Foreign Minister of Spain Josep Pique, United Nations Secretary General Kofi Annan, Foreign Minister of Russia Igor Ivanov and European Union Senior Official Javier Solana."

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

In his subsequent visit to the Middle East, Powell divided his time equally between efforts to persuade Sharon to ease the siege on Arafat's compound and attempts to convince Arafat to make serious headway on bringing the perpetrators of Palestinian terrorist attacks to justice.³³ Ultimately he succeeded at neither. Upon his return to the United States, on 18 April 2002, Powell and Bush faced the media amidst increasing speculation that the Bush Administration had given Sharon a 'green light' to complete Israel's military objectives in the West Bank,³⁴ and was not being held to Bush's calls for a more immediate withdrawal.³⁵ It was during this press conference that Bush was asked whether he believed that Ariel Sharon was a 'man of peace'. He replied that:

I do believe Ariel Sharon is a man of peace. I think he wants -- I'm confident he wants Israel to be able to exist at peace with its neighbors. I mean, he's told us that here in the Oval Office. He has embraced the notion of two states living side by side.³⁶

In the midst of Israeli incursions into Palestinian cities, Bush's comments about Sharon created an immediate backlash in the Middle East, and exacerbated tensions between the White House and the State Department.³⁷ In response, during a press conference following the visit of the Saudi Crown Prince to his Crawford ranch on 25 April 2002,³⁸ Bush sought to put pressure on Sharon to complete his withdrawal, stating that he 'expected Israel to withdraw,' and had 'made it clear to Israel.'³⁹ In the days that followed, Bush instructed both Powell and Rice to demand an end to the siege from

³³ In particular, the conversations with Arafat were focused on the alleged perpetrators of the aforementioned murder of Israeli Tourism Minister Rehavam Ze'evi. For an in-depth account, see: Bregman, *Elusive Peace: How the Holy Land Defeated America*, pp. 196-201.

³⁴ For specific lines of questioning, see: US Department of State, "Press Briefing on Board Plane."

³⁵ US Department of State, "President to Send Secretary Powell to Middle East."

³⁶ US Department of State, "President Bush and Secretary Powell Discuss the Middle East," The Oval Office, Washington, DC: 18 April, 2002.

³⁷ Condoleezza Rice recounted: 'Our diplomatic efforts were failing miserably. And when, on April '8, the President answered a question by calling the Israeli prime minister "a man of peace," I thought we'd done long-term damage to our relations in the Arab world. Colin had been sitting next to the President when he made the comment. After the press left, he came over to me. "Do you have any idea how this plays on Arab TV?" he asked. "The Israelis are just thumbing their noses at the President. Why is he giving Sharon a pass?" The State Department went into overdrive trying to explain what the President had "meant to say."' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 140.

³⁸ According to Bregman, Powell said that the Crown Prince delivered an ultimatum to Bush during this visit, in which he said that 'if I don't hear something that I can use, then I might as well leave now.' See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 209.

³⁹ US Department of State, "Remarks by the President After Meeting With Crown Prince of Saudi Arabia," Bush Ranch, Crawford, Texas: 25 April, 2002.

their Israeli counterparts, who eventually agreed, in exchange for a US veto⁴⁰ on the UN investigation into events that had occurred at the Jenin refugee camp.⁴¹

Subsequently, the Israelis eased their restrictions on Arafat's movements, and four days later, Bush offered what appeared to be a final chance to the PLO Chairman:

Somebody asked me one time, a while ago, they said, has he disappointed you, has he lost your respect? I said, well, he hasn't earned my respect yet. He must earn my respect by leading. And there are a lot of people, a lot of Palestinians who are suffering, and now is the time for him to step up.⁴²

Arafat's release from his *Muqata* compound formed the basis for the second Quartet statement, on 2 May 2002, which argued that he now had an 'opportunity to show leadership.'⁴³ Furthermore, for the Quartet members, Arafat's release demonstrated the 'constructive role' of international diplomacy in 'defusing a situation that many predicted could only end in violence.'⁴⁴ The second Quartet statement was also notable for demonstrating that the continuation of the grouping had clearly been on the agenda, and that the members had decided that:

...it was important for us to remain together, to continue the dialogue, because this is quite a grouping up here; and I [Powell] think it is a grouping that, working with the parties in the region, can produce success if we stick with it, if we show persistence and determination.⁴⁵

In the press conference following the Quartet statement, Powell, when questioned about the Bush Administration's position regarding Arafat, was unequivocal:

He knows what is expected of him. I have had the most direct conversations possible to have with another person, with Mr. Arafat, with respect to what we will expect from

⁴⁰ See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 211.

⁴¹ An IDF incursion into the Jenin refugee camp from 3-18 April 2002 resulted in 52 Palestinian casualties and 23 IDF casualties. When Annan dispatched Roed-Larsen to investigate the events that had occurred at Jenin, Roed-Larsen claimed he was made a '*persona non grata*' by Sharon, and was denied access to the Prime Minister for the remainder of his post. According to Annan's report on Jenin, he was forced to disband the eventual fact-finding team after less than two weeks 'in the face of Israeli difficulties with the deployment of the team.' See: United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/57/621-S/2002/1268: 29 November, 2002.

⁴² US Department of State, "Statement by the President on the Middle East," The Bush Ranch, Crawford, Texas: 29 April, 2002.

⁴³ US Department of State, "Remarks by US Secretary of State Colin Powell and UN Secretary-General Kofi Annan on "Madrid Quartet" Initiative to Convene a Regional Peace Conference in the Middle East," Washington, DC: 2 May, 2002.

⁴⁴ Ibid.

⁴⁵ Ibid.

him now that he is free from the *Muqata*. And he will either live or not live up to those expectations.⁴⁶

From Bush's statement on 25 April and the Quartet statement on 2 May, it is clear that Arafat was being given a final chance to show leadership on security issues after his release from *Muqata*. On 6 May 2002, however, Sharon visited Washington to provide documentation that allegedly proved beyond doubt that Arafat had been complicit in the *Karine A* affair and in other acts of terrorism.⁴⁷ By the time the Israeli PM visited again in June 2002, the matter of Arafat's continued leadership had been conclusively decided in the White House.

The Rose Garden Speech

According to Aaron David Miller, Bush's subsequent 24 June speech was a vehicle for countering calls for increased US engagement with the peace process, and for advocating the removal of Arafat:

Tony Blair, the Europeans, the UN, and the Arab allies had been hammering the president from day one on the Arab-Israeli peace process. If a way could be found to craft a speech that people would like but at the same time shift the onus of responsibility onto others, primarily the Palestinians, to act, then the administration might have a compelling argument to make to counter the incessant calls for Washington's engagement. In this sense, calling for a Palestinian state but challenging the Palestinians to create a new leadership to run it seemed like a perfect approach.⁴⁸

Miller's analysis was reinforced by an account presented later by former Jordanian Foreign Minister Marwan Muasher. According to Muasher, in late 2002 he met with Bush to convince the President to outline publicly his support for 'a road map that dealt with security, institutions, and the humanitarian situation in the Palestinian territories,' in addition to calling for Palestinian statehood.⁴⁹ Reportedly, Bush replied, 'What do the Palestinians want from me? I gave them a vision. What more do they want?'⁵⁰

The 24 June speech also undercut the notion, advanced by the Quartet members, of parallel actions by the Israelis and Palestinians as the remedy to the current impasse. Bush posited that the withdrawal of Israeli forces was contingent upon 'progress towards security,' and that Israel's commitment to working towards a final status

⁴⁶ Ibid.

⁴⁷ In a press conference following a meeting with Foreign Minister Prince Saud Al Faisal, Powell described the nature of Sharon's recent visit. See: US Department of State, "Remarks with Foreign Minister Prince Saud Al Faisal of Saudi Arabia After Their Meeting," Washington, DC: 6 May, 2002.

⁴⁸ Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 347.

⁴⁹ Muasher, M., *The Arab Center: The Promise of Moderation* (New Haven: Yale University Press, 2008), p. 162.

⁵⁰ Ibid.

agreement was reliant upon the new Palestinian institutions demonstrating 'real performance on security and reform.'⁵¹

The Roadmap Authorship Period

In the period immediately after Bush's speech, the members of the Quartet (including the US Secretary of State)⁵² began to consult with regional actors in the Middle East, especially Jordan,⁵³ on a performance-based plan to generate and sustain momentum in the peace process.⁵⁴ This process built upon the notion of Palestinian reform, while downplaying direct calls for the removal of Arafat. It included participation by the members of the Quartet in the 10 July 2002 formation of the Task Force on Palestinian Reform, which also included representatives from Norway, Japan, the World Bank, and the International Monetary Fund.⁵⁵ Notably, the members of the Quartet stated that the Task Force would operate under their 'aegis',⁵⁶ ostensibly to 'monitor and support implementation of Palestinian civil reforms, and guide the international donor community in its support for the Palestinians' reform agenda.'⁵⁷

Thus, in the period following Bush's 24 June speech, the members of the Quartet chose to emphasise the Palestinian reform process and to deemphasise the removal of Arafat as a necessary precondition to progress on that front, while simultaneously encouraging continued US engagement in the MEPP. Accordingly, the Quartet statement of 16 July 2002 welcomed 'President Bush's active leadership' towards the goal of achieving a

⁵¹ US Department of State, "President Bush Calls for New Palestinian Leadership," Washington, DC: 24 June, 2002.

⁵² In his memoirs, Bush recounted that 'Colin [Powell] took the lead in hammering out a detailed plan to move from my speech to a Palestinian state.' Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), p. 405.

⁵³ According to Rice's account of July 2002, 'The Jordanian Foreign Minister made a proposal, reiterated by the King of Jordan during a visit the next month, to translate the President's speech into a written plan with performance-based benchmarks. The proposal would eventually result in the Road Map for Peace.' Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 147.

⁵⁴ According to US Ambassador to Israel, Daniel Kurtzer, the early work on what would become the Roadmap by the Quartet members and regional actors was to ensure that 'the President's speech wouldn't simply be a signal to walk away.' Kurtzer, D., Former United States Ambassador to Israel, interview with the author, Princeton, NJ, October, 2011.

⁵⁵ In 2002 the Task Force on Palestinian Reform met on 10 July in London, 22-23 August in Paris, and 15 November in Jordan. The Task Force created seven 'Reform Support Groups' made up of donor representatives working in Gaza and the West Bank, in the areas of Civil Society, Elections, Financial Accountability, Judicial and Rule of Law Reform, Market Economics, Local Government, and Ministerial and Civil Service Reform. Each of the reform groups reported back to the Task Force on the progress of reform implementation and the various obstacles to achieving benchmarks on the ground. See: US Department of State, "Statement of the Task Force on Palestinian Reform, November 14-15," Jordan: 16 November, 2002.

⁵⁶ US Department of State, "Middle East Quartet Communique of September 17, 2002," New York City: 17 September, 2002.

⁵⁷ US Department of State, "Statement of the Task Force on Palestinian Reform, November 14-15."

final Israeli-Palestinian settlement, encouraged the 'strong Palestinian interest in fundamental reform,' and called for 'well-prepared, free, open and democratic' elections.⁵⁸ The issue of Arafat was not raised until the press conference following the Quartet statement, where each individual member of the grouping was asked to outline their stance on the PLO chairman.⁵⁹ For Powell, the need to find a balance between the position of the White House and the position of the State Department (and the other Quartet members) was apparent when he framed the issue of Arafat as a choice that would ultimately have to be made by the Palestinian people.⁶⁰ This, he added, was 'about finding a way forward and not about personalities.'⁶¹ For the other members of the Quartet, especially the UNSG and Russian Foreign Minister, the issue of Arafat's leadership was less complex.⁶² As Annan explained:

As for Arafat, we all have our respective positions. The UN still recognizes Chairman Arafat and we will continue to deal with him until the Palestinians decide otherwise.⁶³

Similarly, Russian Foreign Minister Lavrov declared that Arafat was the 'legitimately elected leader of Palestine,' and that while he remained in that capacity, Russia would 'maintain relations with him.'⁶⁴

Adding to the complexity of issues present in the Middle East, on 12 September 2002 President Bush delivered an address to the UN General Assembly that made the case for an international intervention in Iraq.⁶⁵ Furthermore, in the months following this speech, Bush Administration officials began to position the resolution of the Israeli-Palestinian

⁵⁸ US Department of State, "'Quartet' Joint Statement," New York City: 16 July, 2002.

⁵⁹ US Department of State, "Press Availability With UN Secretary General Kofi Annan; Foreign Minister Igor Ivanov of the Russian Federation; Foreign Minister Per Stig Moller of Denmark in the Capacity of EU Presidency; and Javier Solana, High Representative for Common Foreign and Security Policy of the EU," New York City: 16 July, 2002.

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² It should be noted that the UNSG sometimes employed the practice of 'isolating' Arafat during this period as a means through which to express displeasure. As Annan recounted, 'I had at times instructed my own envoys to minimise contacts with Arafat to register my displeasure at his equivocation – not easy given the intimate relationship between the United Nations and the Palestinians.' This 'minimisation' differed from the American policy of non-contact. See: Annan, *Interventions: A Life in War and Peace*, p. 252.

⁶³ US Department of State, "Press Availability With UN Secretary General Kofi Annan; Foreign Minister Igor Ivanov of the Russian Federation; Foreign Minister Per Stig Moller of Denmark in the Capacity of EU Presidency; and Javier Solana, High Representative for Common Foreign and Security Policy of the EU."

⁶⁴ Ibid.

⁶⁵ US Department of State, "President Bush's Remarks at the United Nations General Assembly," New York City: 12 September, 2002.

conflict as being contingent upon addressing the threat of the Saddam Hussein regime.⁶⁶ The shift in focus of the Bush Administration caused concern among key US allies, especially the actors in the Quartet, that the MEPP would be sidelined by an enhanced US focus on Iraq.⁶⁷ In response, five days after the speech, the Quartet members enunciated for the first time that they had been:

...working closely with the parties and consulting key regional actors on a concrete, three-phase implementation roadmap that could achieve a final settlement within three years.⁶⁸

There were three phases presented by the Quartet members in their 17 September 2002 statement. The first was Palestinian security and political reform coupled with Israeli territorial withdrawals (from positions occupied since 28 September 2000). The second was the creation of a Palestinian state with provisional borders, and the third was Israeli-Palestinian negotiations aimed at resolving the final status issues by 2005.⁶⁹ Importantly for the future work of the Quartet, the issue of progress both within and between the three phases of this plan was to be 'strictly based on the parties' compliance with specific performance benchmarks to be monitored and assessed by the Quartet.'⁷⁰

By positioning themselves as the arbiters of compliance to their plan, it is likely that the Quartet members sought to engineer a vehicle for their continued involvement in the implementation of the 'Roadmap', including safeguarding the process from the reluctance of both parties to move forward in the absence of guarantees from the other. Despite the Quartet's September announcement,⁷¹ the discourse of the peace process continued to be overshadowed by discussions of the seemingly inevitable war in Iraq. Indeed, when Sharon met with President Bush on 16 October 2002, every question asked of the pair by the press was regarding the expected impacts of a conflict between

⁶⁶ On 26 February 2003 William J. Burns, the Assistant Secretary for the Bureau of Near Eastern Affairs, gave a speech that exemplified the prioritisation of the coming conflict in Iraq by the Bush Administration: 'As we end the threat posed by Iraq, we cannot and will not ignore the tragic conflict between Israel and the Palestinians.' See: US Department of State, "Challenges of the Middle East: William J. Burns, Assistant Secretary for the Bureau of Near Eastern Affairs," Remarks at Dickinson College, Carlisle, Pennsylvania: 26 February, 2003.

⁶⁷ As the following section on the events of 2003 explains, British Prime Minister Tony Blair, in particular, urged President Bush to move forward on the Roadmap *before* launching an invasion in Iraq.

⁶⁸ US Department of State, "Middle East Quartet Communique of September 17, 2002."

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ According to Muasher, the three non-American members of the Quartet were in favour of releasing the Roadmap during the 17 September meeting, but the United States strongly objected, apparently due to concerns that an endorsement of the Roadmap might compromise Israel's cooperation in Iraq. See: Muasher, *The Arab Center: The Promise of Moderation*, p. 166.

the United States and Iraq.⁷² Furthermore, former US Ambassador to Israel Daniel Kurtzer noted that during this visit, 'almost as an afterthought,' American officials presented the rough draft of the Roadmap to the visiting Israeli delegation, who apparently 'didn't treat it seriously' and 'never offered any feedback.'⁷³

This draft was also presented to the Palestinians, on 17 October 2002.⁷⁴ Following this, a meeting between the Quartet principals and President Bush was scheduled for 20 December, in which it was expected that the Roadmap would be launched officially.⁷⁵ However, on 18 December the US State Department announced that it would postpone the release of the Roadmap until after the Israeli elections scheduled for 28 January 2003.⁷⁶ This delay almost certainly originated with Sharon, as he had made clear in his speech at the 4 December 2002 Herzliya Conference that his consideration of the Roadmap would only take place *after* he had formed a new coalition government.⁷⁷ Furthermore, according to former Jordanian ambassador Marwan Muasher, the central catalyst for the Israeli calls to delay the publication of the Roadmap was the inclusion, at the behest of Jordan, of the Arab Peace Initiative in the terms of reference. Muasher stated that after it became known that the United States had accepted this inclusion into the terms of reference, Sharon's close advisor, Dov Weissglass 'immediately [flew], not to the State Department, but to see Condoleezza Rice at the White House, and in one meeting he convince[d] her to postpone this whole thing.'⁷⁸

Despite this, the meeting between the Quartet principals and President Bush proceeded as planned on 20 December 2002.⁷⁹ This meeting, ironically, included the first public endorsement of the work of the grouping by Bush, who stated that:

⁷² See: US Department of State, "President Bush Welcomes Prime Minister Sharon to White House; Question and Answer Session with the Press," The Oval Office, The White House, Washington, DC: 16 October, 2002.

⁷³ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

⁷⁴ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict," Washington, DC: 30 April, 2003.

⁷⁵ Patten, C., *Not Quite the Diplomat: Home Truths About World Affairs* (London; New York: Allen Lane, 2005), p.109.

⁷⁶ "Officials: US to delay Mideast plan until after Israeli election," *CNN World*, 18 December, 2002.

⁷⁷ Israel Ministry of Foreign Affairs, "Speech by Prime Minister Ariel Sharon at the Herzliya Conference," Institute of Policy and Strategy, Herzliya: 4 December, 2002.

⁷⁸ Muasher, M., Former Jordanian Foreign Minister and current Vice President for studies at the Carnegie Endowment for International Peace, interview with the author, Washington, DC, October, 2011.

⁷⁹ According to Bush Administration official Flynt Leverret, in an interview in *Bregman*, President Bush read the Roadmap for the first time only two days earlier, on 18 December 2002. See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 245.

I appreciate so very much [the Quartet] working with us to move the Israeli-Palestinian issue forward to a peaceful resolution of what has been a longstanding conflict.⁸⁰

In the subsequent statement delivered by the Quartet, the members highlighted that they had made substantial progress towards finalising the text of the Roadmap, that President Bush had expressed 'strong support for the efforts of the Quartet and his firm commitment to the Quartet's roadmap' and that they were eager to present the plan to the parties.⁸¹ The Quartet members also 'agreed to further intensive work to develop a credible and effective monitoring mechanism.'⁸² Conversely, President Bush stated that the Roadmap was 'not complete yet,' but that the United States was 'committed to its completion.'⁸³ Furthermore, Bush characterised the Roadmap as a continuation of the vision he outlined on 24 June:

I appreciate the fact that the Quartet is working on what we call a road map. I view the road map as a part of the vision that I described.⁸⁴

2002 ended with the Quartet members eager to move forward on the implementation of the Roadmap but facing resistance from the White House and from Jerusalem, a process complicated by the uncertainty surrounding the future of Arafat's political leadership.

⁸⁰ US Department of State, "President Welcomes Quartet Principals to White House," The Oval Office, The White House, Washington, DC: 20 December, 2002.

⁸¹ US Department of State, "Joint Statement by the Quartet," Washington, DC: 20 December, 2002. In particular, the UNSG chose to emphasise in the press conference following the statement that the Quartet hoped to present the Roadmap to the parties 'as soon as possible'. See: US Department of State, "President Welcomes Quartet Principals to White House."

⁸² US Department of State, "Joint Statement by the Quartet."

⁸³ US Department of State, "President Welcomes Quartet Principals to White House."

⁸⁴ Ibid.

2003: The Launch of the Roadmap to Peace in the Middle East

What really brought [the Quartet] together, as a structure built on a substantive issue, was the Roadmap.

- Terje Roed-Larsen, Former United Nations Special Coordinator for the Middle East Peace Process (1999-2004).⁸⁵

The failure of the Quartet to insist on the basic principles of the Roadmap robbed the body of some of its vitality, limiting its ability to shift the dynamics between the parties.

- Kofi Annan, United Nations Secretary General (1997-2006).⁸⁶

The Roadmap to Peace in the Middle East both solidified and divided the Quartet as a grouping. While the authorship process acted as a catalyst for continued Quartet coordination in the region, the eventual disintegration of the implementation process produced the opposite effect, reducing the motivation of the members to continue meeting and arresting the momentum of their coordination. Thus, in 2003 the work of the Quartet members was dominated by the diplomatic processes of pushing for the publication of the Roadmap document, and obtaining acceptance and pursuing implementation by the parties. While the release of the Roadmap document was contingent upon the results of the impending Israeli elections, scheduled for 28 January 2003,⁸⁷ there was another issue of concern for the members of the Quartet that required immediate attention.

A Palestinian Prime Minister

The Bush Administration made it clear that it would not present the Roadmap to the Palestinians until Arafat had created the position of Prime Minister.⁸⁸ Effectively, this was a premature application of the Quartet's approach, which called for the creation of the position in Phase One but not as a pre-condition to the parties being presented with

⁸⁵ Roed-Larsen, T., Former United Nations Special Coordinator for the Middle East peace process, interview with the author, New York City, October, 2011.

⁸⁶ Annan, *Interventions: A Life in War and Peace*, p. 309.

⁸⁷ On 5 February 2003 Powell had made his now infamous presentation to the UNSC regarding the capabilities of the Iraqi regime. In the lead up to the Iraq war, the Bush Administration was less willing to place pressure on the Sharon government regarding the implementation of the Roadmap when cooperation from Israel was deemed integral to the success of coalition efforts in Iraq. As Muasher argued, the US specifically 'did not want to jeopardize Israel's cooperation in refraining from any retaliatory military strike on Iraq, should Iraq decide to strike Israel.' See: Muasher, *The Arab Center: The Promise of Moderation*, p. 166.

⁸⁸ According to Annan, it was UN officials who proposed to the Bush Administration the notion of creating an 'empowered' Palestinian Prime Minister as a means through which to address US concerns about Arafat while allowing progress on the peace process. This idea was then 'sold' to the other Quartet partners. See: Annan, *Interventions: A Life in War and Peace*, p. 285.

the plan, and also reflected the continuing policy of isolating Arafat pursued by the Bush Administration.⁸⁹

According to Roed-Larsen, it was during January 2003 that the Quartet envoys representing the UN, Russia and the EU began to meet with Arafat with the express purpose of convincing him to appoint a Prime Minister, briefing their US colleagues along the way.⁹⁰ Arafat also faced pressure from inside the Palestinian Authority, with Palestinian Minister, and close Arafat associate, Nabil Shaath, conducting extensive discussions with the Chairman.⁹¹ Consequently, on 23 January 2003, Arafat agreed in principle to the creation of the post of PM and, working through British envoy Michael Levy, gave a letter outlining his position to British Prime Minister Tony Blair asking that he present it to Bush.⁹² On 31 January, Blair met with Bush, and, after presenting the letter from Arafat, asked him to release the Roadmap to the parties. According to Powell's account of the meeting, Bush told Blair that he wanted to wait until Sharon formed a coalition.⁹³

Three days prior, on 28 January 2003, Ariel Sharon had been re-elected as the Israeli Prime Minister, but it was not until a month later that he was able to form his governing coalition.⁹⁴ On February 20, the Quartet issued their fifth statement, welcoming 'the Palestinians' decision to appoint a Prime Minister' as a 'significant step,' but underscoring 'the importance of appointing a credible and fully empowered Prime Minister.'⁹⁵ International concerns about Arafat's disinclination to cede true authority

⁸⁹ As is discussed in the subsequent section, Phase One of the Roadmap calls for the creation of an 'empowered prime minister.' See: US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

⁹⁰ According to an official who witnessed a meeting between UN envoy Terje Roed-Larsen and Arafat during this period, Roed-Larsen had insisted that if Arafat did not create the position of Prime Minister he would 'not see me [Larsen] again,' nor anyone from the EU or Russia, and would instead see 'an Israeli soldier coming through that door.' See: Kessler, G., "'Road Map' Setbacks Highlight US Pattern," *The Washington Post*, 6 October, 2003.

Furthermore, US Ambassador to Israel, Daniel Kurtzer, confirmed in an interview with the author that while the US was part of the effort to convince Arafat to appoint a PM, the other members of the Quartet had done most of the 'heavy lifting' on the issue. Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

⁹¹ According to Shaath, in an interview with Ahron Bregman, he emphasised to the Chairman that he would remain the truly elected representative of the Palestinian people, retain the ability to appoint and fire the Prime Minister, and continue to control the security services. See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 246.

⁹² Ibid., p. 247.

⁹³ Ibid.

⁹⁴ On 28 February 2003 Sharon formed a coalition with Shinui, the National Union, and the National Religious Party, which delivered a governing majority of 68 seats of the 120 seat Knesset.

⁹⁵ US Department of State, "Joint Statement of Quartet Envoys London," Washington, DC: 20 February, 2003.

were proven to be well founded on 7 March, when Arafat officially created the position of Palestinian Prime Minister, but declared that he would still oversee peace negotiations and control the security services.⁹⁶

The position of Palestinian Prime Minister remained unfilled until 18 March 2003, but during this period the Quartet members lobbied Arafat intensely to appoint Mahmoud Abbas.⁹⁷ On 14 March, four days before Abbas was officially appointed, Bush urged Arafat to make the Prime Minister a position of 'real authority,' and added that immediately upon confirmation of his appointment 'the road map for peace will be given to the Palestinians and the Israelis.'⁹⁸ Despite this assurance, Bush's commitment to launching the Roadmap was reportedly still in doubt.⁹⁹ According to Blair's account, it was not until 16 March, in Azores, Portugal, that he 'finally got George to commit to the Road Map.'¹⁰⁰ According to Kurtzer, Blair made one of the conditions of the British involvement in Iraq that the Roadmap would be presented to the parties immediately after the initial invasion.¹⁰¹ For Blair, the impending coalition invasion of Iraq needed to be paired with simultaneous progress on the MEPP in order to allay regional concerns that the Israel-Palestinian conflict would be sidelined indefinitely.¹⁰² In a press conference at Azores, he made the connection clear:

I think the coming appointment of Abu Mazen [Abbas] is so important there. It allows us to take this process forward. The road map gives us the way forward. The appointment of Abu Mazen gives us the right partner to take this forward. And I believe that that will demonstrate, and it's important to demonstrate, in particular at this time, that our approach to people in the Middle East, in that troubled region is indeed even-handed.¹⁰³

On 18 March 2003, Arafat approved a bill of amendments to the Palestinian Authority Basic Law to delineate and establish the position of Prime Minister, and agreed to

⁹⁶ Laub, K., "Arafat Appoints New Prime Minister," *The Guardian*, 20 March, 2003.

⁹⁷ Annan, *Interventions: A Life in War and Peace*, p. 286.

⁹⁸ US Department of State, "Hopeful Moment for Progress Toward Middle East Peace," The White House, Washington DC: 14 March, 2003.

⁹⁹ As Powell recounted, 'there was still a little bit of reluctance to publicly release it because the US then takes on additional obligations and commitments.' See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 249.

¹⁰⁰ Blair, T., *A Journey: My Political Life*, 1st ed. (New York: Alfred A. Knopf, 2010), p. 433.

¹⁰¹ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

¹⁰² Furthermore, as Bush Administration official Dennis Ross argued, 'Arabs, Europeans, and others would find it easier to tolerate US military action to bring down Saddam Hussein if the administration could point to its making a serious effort on Israeli-Palestinian peace – or so the thinking went.' See: Ross, D., *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus and Giroux, 2005), p. 788.

¹⁰³ US Department of State, "Press Availability with President Bush, Prime Minister Blair, President Aznar, and Prime Minister Barroso," Azores, Portugal: 16 March, 2003.

appoint Mahmoud Abbas to the post. Two days later, US-led coalition forces launched their military operation in Iraq. In the days following the invasion, the Bush Administration announced that the Roadmap would not be presented to the parties until Abbas had been confirmed in office and had appointed a cabinet.¹⁰⁴ For Abbas, this process was complicated significantly by Arafat,¹⁰⁵ and it was not until 29 April 2003 that he and his cabinet were confirmed into office by the Palestinian Legislative Council. The following day, Abbas was officially sworn in, and the Roadmap was presented to the parties and released publicly.¹⁰⁶

Presenting the Roadmap

The presentation of the Roadmap to the parties was indicative of the challenges faced by the members of the Quartet during this period. In Ramallah, all four Quartet envoys were able to present the document to Prime Minister Abbas, whose appointment had allowed the US envoys to circumvent direct contact with Yasser Arafat.¹⁰⁷ In Israel, however, the Roadmap document was presented to Sharon solely by US Ambassador Kurtzer.¹⁰⁸ Annan remarked later that 'such was the reality of the game,' that the 'United States was often prepared to share management of the Palestinians, but insisted on preserving its prerogatives *vis-a-vis* Israel.'¹⁰⁹

According to Kurtzer, however, upon presenting the Roadmap to Sharon, he had asked the Prime Minister (admittedly without approval from Washington) whether he would allow him to return with his Quartet colleagues and to hold a formal session. Sharon

¹⁰⁴ US Department of State, "Remarks at the American Israel Public Affairs Committee's Annual Policy Conference," Washington DC: 30 March, 2003.

¹⁰⁵ According to Abbas' account of events, presented in Bregman's *Elusive Peace*, the main point of contention during this period was his intention to appoint Mohammed Dahlan as Interior Minister, which Arafat strongly disagreed with on personal grounds. The eventual compromise made between Abbas and Arafat was that Abbas would become both the Prime Minister and the Interior Minister, with Dahlan acting in an 'unofficial' capacity, and Arafat maintaining control over the security services. See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 249.

¹⁰⁶ For Bush, support for Abbas centred on the Prime Minister's stance on terrorism. On the day the Roadmap was launched, Bush stated that 'I believe now that we have an interlocutor from the Palestinian Authority that has spoken clearly about the need to fight terror, that we have a good opportunity to advance the peace process. And I will seize the opportunity.' See: US Department of State, "President Bush and President Uribe of Colombia Comment on the Roadmap and Terrorism: Remarks at Photo Opportunity," Washington, DC: 30 April, 2003.

¹⁰⁷ Roed-Larsen recounted that this episode resulted in a 'huge fight' within the Quartet, ostensibly because the Russian representatives insisted that the Roadmap should be presented to Yasser Arafat, as the elected leader of the Palestinian people, but Roed-Larsen and the American representatives were under strict instructions not to meet directly with the chairman. According to Roed-Larsen, this put the Europeans in a 'very difficult situation', and eventually a compromise was reached whereby the Quartet members agreed to meet with Mahmoud Abbas. Roed-Larsen. Interview with the author, New York City, October, 2011.

¹⁰⁸ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

¹⁰⁹ Annan, *Interventions: A Life in War and Peace*, p. 286.

replied ‘absolutely not.’¹¹⁰ Thus, under the cloud of the war in Iraq, the Quartet members were attempting to launch a peace process between a fragile Palestinian Prime Minister, and an Israeli Prime Minister who refused to meet with them.

The details of the plan itself produced a host of additional challenges for both the approval and implementation processes. The Roadmap was written during a period in which several international actors were seeking a means through which to quell the second *intifada* and to resurrect the political process between the Israelis and the Palestinians. The document itself reflected the input of numerous sources, and while the personal accounts surrounding the driving forces in the authorship process vary, they are not necessarily incompatible.

According to Roed-Larsen, the initial idea for the Roadmap was American, and was presented by US State Department officials David Satterfield and William Burns during a dinner hosted at his residence in 2002, and then developed by the Quartet members in consultation with regional parties and other Bush Administration officials.¹¹¹

Conversely, Chris Patten, in his account of the period, argued that the Roadmap originated during the Danish presidency of the EU in 2002.¹¹² It was then discussed among the Quartet members and, ‘after a few perfectly reasonable tweaks from the American side, the State Department bought it.’¹¹³ Dennis Ross, in his explanation of the process, argued that it was the Arab leaders who initially raised the concept of the Roadmap to US officials in the aftermath of the President’s 24 June speech, which they felt ‘demanded too much from Palestinians and too little from Israelis.’¹¹⁴ This account coincides with that of Rice, who emphasised the role of Jordan in particular.¹¹⁵ Former Jordanian Foreign Minister Marwan Muasher reinforces this version of events in his account.¹¹⁶ Muasher recalls that throughout 2002 Jordan was ‘pushing very hard’ for principles, timelines, performance indicators, and terms of reference (especially the Arab Peace Initiative).¹¹⁷ According to Muasher, it was not until a meeting at the White

¹¹⁰ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

¹¹¹ Roed-Larsen. Interview with the author, New York City, October, 2011.

¹¹² The Danish Presidency lasted from July 2002 until December 2002.

¹¹³ Patten, *Not Quite the Diplomat: Home Truths About World Affairs*, p. 109.

¹¹⁴ Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace*, p. 787.

¹¹⁵ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 147.

¹¹⁶ See: Muasher, *The Arab Center: The Promise of Moderation*, pp. 134-98.

¹¹⁷ Muasher. Interview with the author, Washington, DC, October, 2011.

Muasher’s account was reinforced by Daniel Kurtzer, who stated that ‘The Jordanians were responsible for putting the API in [the Roadmap] and making sure that it was in.’ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

House on 1 August 2002 that he was able to convince Bush of the merits of the Roadmap, in its draft form, and that after this meeting the drafting process, including collaboration between the US Department of State and other Quartet and regional actors, accelerated.¹¹⁸

The common theme in the accounts of the creation of the Roadmap is that process involved input from the Quartet members and regional actors, but from neither, in any direct sense, the Israelis nor the Palestinians. As Annan described it, the final document was 'genuinely a product of negotiation among the Quartet members.'¹¹⁹ Furthermore, the discrepancies in the accounts regarding the origins of the *idea* of the Roadmap can be explained by the fact that, as argued in Chapter Three, several actors during this period were simultaneously pursuing the objective of ending the second *intifada* by systematically addressing the deficiencies of the Oslo period. The ideas underpinning the Roadmap simply reflected the international consensus on the current state of the MEPP at this time.¹²⁰

Equally, it is important to establish that the key parties involved in the authorship of the Roadmap were not the Israelis and the Palestinians. While there were some 'feelers' put out to the parties on certain issues during this period – particularly the Israelis – for the most part the plan was developed without their input.¹²¹ As Ross explains, 'rather than working out understandings with the parties, the Administration engaged in a negotiation with the other three members of the Quartet.'¹²² The Israelis and Palestinians were 'each offered the opportunity to make comments, but not to engage in a negotiation about its content or how it might actually be implemented.'¹²³ Roed-Larsen described the Quartet member's approach to the Roadmap as a kind of 'multilateral unilateralism,' because:

...it's a multilateral informal group, who actually says 'no, we don't want to negotiate this, because these guys are impossible.' So they negotiate between *themselves* and put it to the parties and say 'implement.'¹²⁴

¹¹⁸ See: Muasher, *The Arab Center: The Promise of Moderation*, p. 161-3.

¹¹⁹ Annan, *Interventions: A Life in War and Peace*, p. 283.

¹²⁰ As European envoy Marc Otte summarised, the Roadmap was essentially a compilation of 'all the things that had been thought by a number of people working on the issue.' Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

¹²¹ Roed-Larsen. Interview with the author, New York City, October, 2011.

¹²² Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace*, p. 788.

¹²³ Ibid.

¹²⁴ Roed-Larsen. Interview with the author, New York City, October, 2011.

The underlying logic of this approach was to avoid prolonged negotiations with the Israelis and Palestinians, especially having to deal directly with Arafat, and to build international consensus and momentum around the plan before launching it.¹²⁵ As Kurtzer explained, creating a united international front within the context of the MEPP was useful because:

...when there were difficult messages that had to be delivered, both the Palestinians and the Israelis would always seek to find the weakest link in whoever was delivering the message, and then run with that. So the idea was if we presented a united front, there wouldn't be an opportunity to trade us off against each other.¹²⁶

The danger of this approach was that the Roadmap was indicative of consensus only among parties that would not be responsible for implementing its recommendations. This meant that the Quartet members would need to gain acceptance of the plan both *from* the parties, and *between* the parties. As Ross argued, progress on the Roadmap could 'only materialise with clear and unambiguous understandings between the parties themselves on what each side would actually do, when they would do it, where they would do it, and how they would do it.'¹²⁷ Thus, the political process that followed the launch of the Roadmap was inherently structured around and constrained by both the commitments contained within the plan, and the ability of the international community to forge a common understanding of these commitments between the parties to the conflict.

The Conceptual Framework of the Roadmap

The Roadmap was conceived by its authors as an attempt to bring about an end to the second *intifada*, and to address the deficiencies of previous peace plans within the context of the Israeli-Palestinian conflict. As Annan noted:

The Roadmap was not designed to replace a negotiated agreement between the parties. Its purpose was to create the context for those negotiations by rebuilding the confidence shattered by Oslo's failure, while repairing some of Oslo's defects.¹²⁸

As is discussed in more detail below, the Roadmap as a document reflected both the process of its authorship and the circumstances it was designed to address. The first phase was an amalgamation of the Mitchell Report's calls for parallel action on Israeli settlements and Palestinian terrorism, with the additional notion of Palestinian political

¹²⁵ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

¹²⁶ Ibid.

¹²⁷ Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace*, p. 788.

¹²⁸ Annan, *Interventions: A Life in War and Peace*, p. 283.

reform outlined by Bush on 24 June 2002.¹²⁹ The final two phases of the Roadmap rested upon the progress made in the first, and essentially functioned as support mechanisms for final status agreements reached between the parties. As EU envoy Marc Otte summarised:

The basic idea was for the Palestinians to stop violence and for the Israelis to stop settlements. That was the major deal, the rest was confidence building.¹³⁰

To create favourable circumstances for the resumption of a political process that might resolve the conflict, the Quartet members sought to circumvent the stalemate between the parties (and the complications surrounding contact with Arafat), address Palestinian violence and Israeli settlements, provide a clear end goal and time frames to motivate the parties to take simultaneous action, build Palestinian institutions, and to establish a monitoring framework to ensure adherence to all of the above. The weaknesses of the document, especially the lack of specificity on the exact steps that were required by the parties,¹³¹ were the result of a difficult and politically charged authorship period, where in order to move forward, compromises on specificity were deemed necessary. In other words, the authors of the Roadmap employed *constructive ambiguity* in order reach agreement with each other, whereas the subsequent process was contingent upon the readiness of the parties directly affected to accept the broad thrust of the document, including agreement to manage and negotiate the specifics together. In addition, it was contingent upon the willingness of the international community (with the United States in the lead) to foster understanding between the parties and to oversee the implementation of their commitments.

In theory, the Roadmap differed from previous peace plans in several key ways: by including performance benchmarks (and calling for monitoring), by establishing the end goals of the process, and by calling for parallel implementation by the parties. In the period following the launch of the Roadmap, the work of the Quartet members was

¹²⁹ According to Kurtzer, the extent to which Roadmap document was reflective of the 24 June speech caused arguments internally within the Bush Administration. Neoconservative administration officials argued that the document 'unraveled' Bush's speech, and State Department officials argued that the Roadmap captured the critical elements of the speech within a framework of parallel implementation. Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

¹³⁰ Otte. Interview with author, Brussels, November, 2011.

¹³¹ An International Crisis Group Report titled 'A Middle East Roadmap to Where?' argued that the various elements outlined in the Roadmap lacked definition, and that 'each step is likely to give rise to interminable disputes between the two sides.' Furthermore, the report heavily criticised the authors of the Roadmap for 'failing to provide a detailed, fleshed out definition of a permanent status agreement.' See: International Crisis Group, "A Middle East Roadmap to Where?," Crisis Group Middle East Report 14: 2 May, 2003.

structured largely around pursuing the acceptance and practical application of these innovations.

Monitored Performance

The Roadmap was designed to be performance-based. In the introduction to the document, progress between the three phases was said to 'require and depend upon the good faith efforts of the parties, and their compliance with each of the obligations outlined below.'¹³² The rationale of this approach was to ease the concerns of the parties regarding each other's commitments, and to address the lack of oversight contained in the Oslo process.¹³³ The logical extension to a performance driven plan, however, was the need for a monitoring process that could determine the extent to which the parties were implementing their commitments. The Roadmap document clearly presented the Quartet members as the appropriate authority to monitor Israeli and Palestinian compliance with their obligations:

Relying on existing mechanisms and on-the-ground resources, Quartet representatives begin informal monitoring and consult with the parties on establishment of a formal monitoring mechanism and its implementation.¹³⁴

Furthermore, movement between the phases of the Roadmap was to be based 'upon the consensus judgment of the Quartet of whether conditions are appropriate to proceed, taking into account performance of both parties.'¹³⁵ Thus, underwriting the structure of the Roadmap was to be a strong monitoring presence, overseen by the members of the Quartet. In theory, this monitoring mechanism would have ensured the viability of the entire Roadmap document, because without a structure to oversee implementation the parties would have been able to 'wriggle out of their commitments.'¹³⁶ Despite this, after the launch of the Roadmap, the creation of a joint, formal monitoring mechanism was resisted by US officials, irrespective of the 'constant pushing' from the UN and the EU.¹³⁷

¹³² US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹³³ Annan argues that the Israelis in particular were doubtful that Arafat would live up to his obligations to combat terrorism. See: Annan, *Interventions: A Life in War and Peace*, p. 284.

¹³⁴ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹³⁵ Ibid.

¹³⁶ Annan, *Interventions: A Life in War and Peace*, p. 285.

¹³⁷ Ibid., p. 284.

Clear End Goals

In contrast to the Oslo period, the Roadmap document established the end goal of the process as the creation of an 'independent, democratic, and viable Palestinian state,' including 'an end to the occupation that began in 1967,' based on the foundations of:

...the Madrid Conference, the principle of land for peace, UNSCRs 242, 338 and 1397, agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah - endorsed by the Beirut Arab League Summit - calling for acceptance of Israel as a neighbor living in peace and security, in the context of a comprehensive settlement.¹³⁸

The terms of reference of the Roadmap were illustrative of an attempt to shift the discourse of the conflict. For example, UNSCR 1397 references the recommendations of the Mitchell Report, the Arab Peace Initiative is centred around territorial swaps based on the 1967 borders, and the deficiencies of UNSCRs 242 and 338 are combated by the clear end goals stated in the introductory section of the Roadmap. Furthermore, the authors of the Roadmap coupled the presentation of end goals with a time frame for the implementation of the steps outlined in the plan, set to culminate in a final status agreement by 2005.¹³⁹ The inclusion of deadlines in the Roadmap was designed to both assure the parties that the process would not be open ended, and also to act as a psychological motivator for timely implementation of commitments.¹⁴⁰ This timeline was not binding, however, and rather than suggesting the possibility of penalties for non-compliance, the Roadmap merely stated that 'non-compliance with obligations will impede progress.'¹⁴¹ Furthermore, the delays in the launch of the Roadmap were not factored into the original deadlines presented in the plan.¹⁴²

Parallelism

The key factor that separated the Roadmap from the Oslo process was the notion of parallelism, which was based on the view that the parties would be less able to avoid

¹³⁸ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹³⁹ In another example of the centrality of the American role in the Middle East peace process, this date also coincided with the end of the first Bush Administration.

¹⁴⁰ EEAS Official. Interview with the author, Brussels, November, 2011.

¹⁴¹ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹⁴² Phase One of the Roadmap, *Ending terror and violence, normalizing Palestinian life, and building Palestinian institutions*, was suggested to be completed by May 2003, despite the plan being launched on 30 April 2003.

their responsibilities if they were expected to act in unison.¹⁴³ According to Annan, the notion of parallel implementation by the Israelis and Palestinians was the fundamental feature of the Roadmap:

This was my mantra, shared by the EU and the Russians: we believed we would get nowhere if all Israeli actions were contingent on the Palestinians first meeting security benchmarks, and we cited the Mitchell Report in this regard.¹⁴⁴

It should be noted, however, that the Roadmap was actually an amalgamation of the notions of parallelism and sequentialism, in that progress *within* phases was parallel and progress *between* phases was sequential. According to Roed-Larsen, while this combined approach allowed the parties to position the Roadmap as being 'ambiguous' in terms of its sequencing, it was a necessary compromise between the authors to move the document forward.¹⁴⁵

Phase One

The first phase of the Roadmap called for substantial structural reforms within the Palestinian Authority to be coupled with an Israeli withdrawal to pre-*intifada* lines, and a complete settlement freeze (including natural growth). Specifically, the Palestinians were required to draft a Palestinian constitution, appoint an interim Prime Minister, organise PLC elections, reform the Palestinian security services,¹⁴⁶ and declare an unequivocal end to violence and terrorism.¹⁴⁷ The Israelis were required to 'take no actions undermining trust,'¹⁴⁸ take measures 'to improve the humanitarian situation,' withdraw from Palestinian areas occupied since 28 September 2000, immediately dismantle settlement outposts erected since March 2001, and:

¹⁴³ The opening section of the document outlines that 'the parties are expected to perform their obligations in parallel, unless otherwise indicated.' See: US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹⁴⁴ Annan, *Interventions: A Life in War and Peace*, p. 283.

¹⁴⁵ Roed-Larsen. Interview with the author, New York City, October, 2011.

¹⁴⁶ These reforms included, 'sustained, targeted, and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure.' This also included 'commencing confiscation of illegal weapons and consolidation of security authority, free of association with terror and corruption,' and consolidating the security organisations into three services to be overseen by an 'empowered Interior Minister.' See: US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹⁴⁷ Ibid.

¹⁴⁸ These actions included 'deportations, attacks on civilians, confiscation and/or demolition of Palestinian homes and property as a punitive measure or to facilitate Israeli construction, and destruction of Palestinian institutions and infrastructure.'

Consistent with the Mitchell Report, GOI freezes all settlement activity (including natural growth of settlements).¹⁴⁹

The Optional Phase Two

Upon parallel and successful completion of Phase One, as judged by the Quartet members, the parties had the *option* of moving into Phase Two of the Roadmap. This outlined the creation of an independent Palestinian State with 'provisional borders' as a 'way-station' to a permanent status settlement.¹⁵⁰ Phase Two of the Roadmap was the product of a compromise reached among the Quartet members after heated discussions. These discussions centred on the inclusion of a Palestinian *provisional* state in the Roadmap, and the eventual compromise reached between the members was the substitution of the term for a Palestinian state with provisional *borders*.¹⁵¹ Although they accepted the wording for tactical reasons, the idea of a 'way-station' deeply displeased the Palestinians. As Annan recounted later:

I was never convinced this was a good idea, and certainly the Palestinians did not think so – unless, and only unless, the details of a permanent settlement were already agreed, and this was merely a phase of implementation. Hence, it was referred to as an option. The Palestinian experience with Oslo was that the temporary tended to become permanent – mirroring, I might add, the Israeli fear that a so-called permanent solution might one day turn out to merely be temporary.¹⁵²

Phase Three

The final phase of the Roadmap was designed to facilitate direct negotiations between the Israelis and Palestinians with the aim of producing a final status agreement on the issues of borders, Jerusalem, refugees and settlements. This agreement would be endorsed by an international conference convened by the Quartet, and would be based on the terms of reference of the Roadmap.¹⁵³ Specifically, the agreement reached in Phase Three would include a 'just, fair, and realistic solution to the refugee issue,' and a

¹⁴⁹ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹⁵⁰ Ibid.

¹⁵¹ As Roed-Larsen explained, 'I remember that I said "no, let's not talk about the provisional state, let's talk about a state with provisional borders, in the same way that Israel is a state with provisional borders." The state with provisional borders is a state, as Israel is a state today, but a provisional state is a quasi-state. So an agreement was reached, because we changed the terminology from a provisional state to a state with provisional borders.' Roed-Larsen. Interview with the author, New York City, October, 2011.

¹⁵² Annan, *Interventions: A Life in War and Peace*, p. 284.

¹⁵³ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

‘negotiated resolution to the status of Jerusalem that takes into account the political and religious concerns of both sides.’¹⁵⁴

The Launch of the Roadmap

On the day the Roadmap was launched, President Bush announced that Secretary of State Colin Powell would travel to the region to begin discussions with the parties about acceptance and implementation of the plan.¹⁵⁵ The following day, on 1 May 2003, Bush declared that major combat operations in Iraq had ended, and that the ‘United States and our allies have prevailed.’¹⁵⁶ The connection between the two events was made clear by Bush a week later, shortly before Powell was due to arrive in the Middle East, when he remarked that ‘with a liberated Iraq’ and new leadership for the Palestinian people, the hope of peace in the Holy Land was ‘renewed.’¹⁵⁷ Furthermore, and importantly for Powell’s visit, it became clear soon after the Roadmap launch that Bush did not subscribe to the notion of parallelism underpinning the first phase of the plan. In a speech on 9 May 2003, Bush presented a sequentialist interpretation of Phase One, when he noted that ‘as progress is made toward peace, Israel must stop settlement activity in the occupied territories.’¹⁵⁸

As Powell set out for the Middle East, a close advisor of Sharon, Dov Weissglass, visited Washington, where he met with a large group of US officials, including individuals from the White House (and the office of the Vice President), the Pentagon, and the Department of State.¹⁵⁹ According to accounts of the meeting given to *New Yorker* journalist Connie Bruck, the Israeli delegation presented nearly one hundred

¹⁵⁴ Ibid.

¹⁵⁵ US Department of State, "The Middle East and the Roadmap for Peace," Washington, DC: 30 April, 2003.

¹⁵⁶ US Department of State, "President Bush Announces Combat Operations in Iraq Have Ended," USS Abraham Lincoln, At Sea Off the Coast of San Diego, California 1 May, 2003.

¹⁵⁷ US Department of State, "President Bush Presses for Peace in the Middle East," Remarks in Commencement Address at the University of South Carolina, Columbia, South Carolina: 9 May, 2003. Sharon mirrored this sentiment after a meeting with Powell on May 11, in which he stated that ‘following the coalition victory in Iraq,’ a ‘window of opportunity’ had been created to ‘advance the political process.’ See: US Department of State, "Joint Press Briefing with Israeli Prime Minister Sharon Following their Meeting," Prime Minister's Residence, Jerusalem: 11 May, 2003.

¹⁵⁸ US Department of State, "President Bush Presses for Peace in the Middle East."

Furthermore, in Bush’s 2010 memoirs, he described the first phase of the Roadmap as follows: ‘First, Palestinians would stop terrorist attacks, fight corruption, reform their political system, and hold democratic elections. In return, Israel would withdraw from un-authorised settlements.’ [Emphasis added]. See: Bush, *Decision Points*, p. 405.

¹⁵⁹ Bruck, C., "Back Roads," *The New Yorker*, Vol. 79, no. 39 (2003).

objections to the Roadmap, which were eventually 'whittled' down to a list of fourteen points.¹⁶⁰

Meanwhile, despite being in the region to discuss the MEPP, Powell continued to boycott Arafat, which resulted in a general strike in the Palestinian territories during his visit.¹⁶¹ The irony of Arafat's isolation was that he would be expected to play a vital role in the reforms of the Palestinian security services called for in the Roadmap, but he continued to be excluded from consultations about the plan. It was clear during this trip that the issue of Arafat continued to divide the members of the Quartet, with Powell stating that:

They [The Quartet] can make their own decisions, but we have made it clear to them that we believe this is the time to invest in the new leadership. And I hope that with the passage of time, my European and other colleagues will see the wisdom of acting in that way.¹⁶²

As Powell met with Israeli and Palestinian leaders, their public responses to the Roadmap document began to emerge. The Palestinians were vocal in their support for the plan, with newly appointed Palestinian Prime Minister Abbas stating that despite having 'some reservations about it,' he had declared his acceptance of the Roadmap 'as is.'¹⁶³ The notion of an 'unchanged' Roadmap document is important to understanding the Palestinian response to the plan. According to Abbas, and likely in reaction to the coming Israeli 'reservations' to the document, it was paramount that the 'Roadmap must remain as it was put forward, in the interests of its proper implementation.'¹⁶⁴ Furthermore, in his meeting with Powell, Abbas stressed that the Palestinian Authority expected:

...the Quartet, and particularly you, Mr. Secretary, to establish an effective monitoring and verification system to guarantee the balanced and accurate implementation of the roadmap in the political, security and other spheres.¹⁶⁵

Thus, the Palestinians were willing to overlook their concerns regarding aspects of the Roadmap if it meant that the Israelis would be expected to implement the plan in full,

¹⁶⁰ Ibid.

¹⁶¹ US Department of State, "Joint Press Briefing with Israeli Prime Minister Sharon Following their Meeting."

¹⁶² Ibid.

¹⁶³ US Department of State, "Joint Press Conference: Secretary of State Colin L. Powell And Palestinian Prime Minister Mahmoud Abbas," Oasis Intercontinental Hotel, Jericho: 11 May, 2003.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

and in its original incarnation.¹⁶⁶ Additionally, the more persuasive features of the Roadmap, such as the creation of a Palestinian state and calls for an Israeli settlement freeze, were enhanced by strong pressure from the Bush Administration on Palestinian officials to accept the plan.¹⁶⁷ The resulting Palestinian approach was indicative of the lack of trust between the parties at this time, as well as Palestinian concerns about the Bush Administration's intention to employ adequate diplomatic resources to the implementation process.¹⁶⁸

In the face of hesitancy from both the Israelis and the Palestinians during his trip, Powell began to urge the parties to begin implementing their Roadmap commitments *before* coming to any agreement on the specifics. In his press conference with Abbas, Powell stated that:

...there is sufficient goodwill, sufficient commitment that we can get started, and, as I have said, let's get started now. Let's not waste another day, let's not waste another discussion session – let's get on with the actions required.¹⁶⁹

Essentially, Powell was advocating a piecemeal application of the Roadmap as a means to sidestep the contentious issues early on, and build momentum for the subsequent resolution of these issues.¹⁷⁰ When Powell returned to the United States, it was clear that the Israelis still had strong reservations about the Roadmap, and refused to accept the plan unless Powell and Rice stated publicly that the Bush Administration would 'address' their concerns in due course.¹⁷¹ Consequently, on 23 May 2003, Powell and Rice delivered a statement explaining that the United States had received a response from Israel voicing 'significant concerns' about the Roadmap, and that:

¹⁶⁶ As Roed-Larsen explained, the Palestinians had 'many reservations' with the contents of the Roadmap, but strategically accepted the plan as a means both to capture the 'moral high ground' and to put pressure on the Israelis to do likewise. Roed-Larsen. Interview with the author, New York City, October, 2011.

¹⁶⁷ Khatib, G., Former Director of Palestinian Authority Media Centre, interview with the author, Ramallah, Palestinian Territories, November, 2011.

¹⁶⁸ As Aaron David Miller argued, 'Neither side believed the other was credible or serious about implementation; nor were they prepared to give the other the benefit of the doubt. Since the Bush Administration exhibited no willingness to work intensively with either side, the road map has never been implemented.' See: Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 73.

¹⁶⁹ US Department of State, "Joint Press Conference: Secretary of State Colin L. Powell And Palestinian Prime Minister Mahmoud Abbas."

¹⁷⁰ Powell argues that: 'I think it's important not to get so hung up on a particular word or a particular statement that we lose the opportunity to get started, to get going. There will be more than enough time in the future to discuss some of the more contentious issues that will have to be dealt with.' Ibid.

¹⁷¹ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 253.

The United States shares the view of the Government of Israel that these are real concerns, and will address them fully and seriously in the implementation of the roadmap to fulfil the President's vision of June 24, 2002.¹⁷²

Sharon immediately released a statement that acknowledged the joint statement, and declared Israel's acceptance of 'the steps set out in the Roadmap,' in light of the 'US promise' to address their concerns 'fully and seriously.'¹⁷³ Thus, in order to secure Israel's acceptance of the Roadmap document, Powell and Rice had codified two separate understandings of the commitments contained in the plan; with the Palestinians viewing it 'as is', and the Israelis viewing it through the prism of their fourteen reservations. Furthermore, Sharon's acceptance of only the 'steps set out in the Roadmap' allowed for an Israeli interpretation of the sequencing of the plan to differ from both the United States and the Palestinians. The following day, Powell was accused by a member of the press of simply 'kicking the can down the road' and his response was illustrative:

At least we have a can on the road. It's easy to say, why didn't you solve this all up front? Because you couldn't. You couldn't get started. So there are difficult issues that are ahead, this is not going to be solved in one day or one week or one month... So the can is on the road now, and we will start moving it down the road, perhaps with little kicks as opposed to a 54-yarder.¹⁷⁴

Thus, not only was ambiguity employed to circumvent the hurdles of the Roadmap authorship process, it was subsequently used in an attempt to move the 'acceptance' phase forward for the parties themselves. This ambiguity was furthered by the consequent publication of Israel's fourteen reservations to the Roadmap plan, which were now understood by the Israelis inherently to be part of the implementation process. The conditionality that the Quartet members had sought specifically to avoid had now become enshrined into the Roadmap process.

The Fourteen Israeli Reservations

On 25 May 2003, Sharon's cabinet 'accepted' the Roadmap plan, in light of the understanding that 'all of Israel's comments, as addressed in the [Bush] Administration's statement, [would] be implemented in full during the implementation phase of the

¹⁷² US Department of State, "Statement by Secretary of State Colin L. Powell and National Security Advisor Condoleezza Rice," Washington, DC: 23 May, 2003.

¹⁷³ Israel Ministry of Foreign Affairs, "Statement from PM Sharon's Bureau," 23 May, 2003.

¹⁷⁴ US Department of State, "Remarks En Route Andrews Air Force Base," On Board Plane: 23 May, 2003.

Roadmap.¹⁷⁵ Before listing these 'comments,' the statement from the Government of Israel outlined further that:

...both during and subsequent to the political process, the resolution of the issue of the refugees will not include their entry into or settlement within the State of Israel.¹⁷⁶

In effect, despite Phase Three of the Roadmap calling for a 'just, fair, and realistic solution to the refugee issue,'¹⁷⁷ the Government of Israel underpinned their acceptance of the plan on the provision that no refugees would return to the state of Israel.

Furthermore, the fourteen Israeli reservations proved to be similarly antithetical to the foundations of the Roadmap plan, and were illustrative of Israeli attempts to re-define the text and predictive of the eventual disintegration of the implementation process.¹⁷⁸

As such, they are examined in detail below.

The first reservation called for the maintenance of 'calm' as a condition to the continuance of the Roadmap process.¹⁷⁹ It stated that the Palestinians must 'dismantle the existing security organisations,' including 'the dismantling of terrorist organizations (Hamas, Islamic Jihad, the Popular Front, the Democratic Front, Al-Aqsa Brigades and other apparatuses)' as well as their infrastructure, and must confiscate and destroy all of their weaponry and stop all weapon smuggling.¹⁸⁰ The reservation stated that 'there will be no progress to the second phase without the fulfillment of all above-mentioned conditions relating to the war against terror,' but also that 'as in the other mutual frameworks, the Roadmap will not state that Israel must cease violence and incitement against the Palestinians.'¹⁸¹ Thus, the first Israeli reservation to the Roadmap implanted Sharon's 'security first' doctrine into the text, and asked the Palestinians essentially to deconstruct each of their militant factions with no promise of an end to Israeli hostilities.

¹⁷⁵ Israel Ministry of Foreign Affairs, "Government meeting about the Prime Minister's Statement on the Roadmap " Jerusalem: 25 May, 2003.

¹⁷⁶ Ibid.

¹⁷⁷ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

¹⁷⁸ According to an Israeli official quoted in Bregman, when Sharon's Cabinet members met to discuss the approval of the Roadmap plan, many arrived with dictionaries in hand, eager to examine the language of the reservations in the strictest legal sense. See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 253.

¹⁷⁹ Parallels can be seen between the first Israeli reservation to the Roadmap document and the Israeli response to the Mitchell Report, both of which emphasised the necessity of 'calm' as a precondition to any political process. Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap," Jerusalem: 25 May, 2003.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

Similarly, the second Israeli reservation dismissed the notion of timelines, and insisted that only performance benchmarks would dictate progress both *within* and *between* phases of the Roadmap.¹⁸² It positioned the first condition for progress as 'the complete cessation of terror violence and incitement.'¹⁸³ The third reservation called for new leadership in the Palestinian Authority as a precondition to moving into Phase Two of the Roadmap, and stated that PLC elections should be held following coordination with Israel.¹⁸⁴

Importantly for the Quartet members, the fourth Israeli reservation explicitly rejected the notion of 'a combined or unified mechanism' for monitoring the implementation of the Roadmap.¹⁸⁵ Instead it posited that not only would the monitoring mechanism be 'under American management,' but that 'the chief verification activity' would 'concentrate upon the creation of another Palestinian entity and progress in the civil reform process within the Palestinian Authority,' and that 'substantive decisions' would 'remain in the hands of the parties.'¹⁸⁶ In one reservation, the Israelis had comprehensively ruled out a monitoring role for any of the non-US Quartet members, dictated the focus of such monitoring, and undercut the authority of the US monitors.¹⁸⁷

The fifth Israeli reservation dispensed with the notion of a 'Palestinian state with provisional borders' and replaced it with the notion of a 'Provisional Palestinian State.'¹⁸⁸ Furthermore, this provisional state was to be 'fully demilitarized,' and Israel was to maintain 'control over the entry and exit of all persons and cargo,' as well as over its 'air space and electromagnetic spectrum.'¹⁸⁹

The sixth Israeli reservation commented further on the Palestinian refugee issue, and stated that the Palestinians must, in their introductory statements at the outset of the Roadmap process, as well as in the 'final settlement,' reference 'Israel's right to exist as

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ This reservation was, at the time of its release, redundant, as the Bush Administration had moved the timetable for Palestinian political reform even further forward, asking for Abbas to be appointed PM before launching the Roadmap.

¹⁸⁵ Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap."

¹⁸⁶ Ibid.

¹⁸⁷ European Union officials had previously stated that any arrangement in which responsibilities for monitoring were divided among the Quartet members or in which the Quartet as a 'whole' was not responsible for monitoring 'key issues' would be 'unacceptable.' See: Beatty, A., "EU Backs Down on Role in Mid East," *EU Observer*, 23 May, 2003.

¹⁸⁸ Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap."

¹⁸⁹ Ibid.

a Jewish state' and waive 'any right of return for Palestinian refugees to the State of Israel.'¹⁹⁰ This reservation on the refugee issue not only required total abandonment of a key issue of principle from the Palestinians as a precondition to the beginning of the Roadmap process, but it also prejudged the final resolution of the issue in any eventual settlement. Perhaps as a means to reinforce the above, the seventh Israeli reservation stated that the end of the process would also be the end of all claims, not only the end of the conflict.¹⁹¹

While the eighth reservation positioned Bush's 24 June 2002 speech as a frame of reference for the final settlement to be negotiated between the parties, the ninth reservation stated that there would be no 'involvement' with 'issues pertaining to the final settlement' during the Roadmap process.¹⁹² Additionally, the final status issues were also not to be *discussed* during this period, including:

...settlement in Judea, Samaria and Gaza (excluding a settlement freeze and illegal outposts), the status of the Palestinian Authority and its institutions in Jerusalem, and all other matters whose substance relates to the final settlement.¹⁹³

Given the clear Israeli position on the settlements as a final status issue, and its acceptance of settlement expansion under the heading of 'natural growth', this reservation can be read to rule out any requirement for action (other than in accordance with Israeli government preferences) on settlements in the West Bank and Gaza during the Roadmap process, but with the caveat that these issues would not be ruled out as a topic of discussion.

The tenth Israeli reservation proposed amendments to the terms of reference of the Roadmap, specifically the removal of all references other than UNSCRs 242 and 338, which, even then, should only be used 'as an outline for the conduct of future negotiations on a permanent settlement.'¹⁹⁴

¹⁹⁰ The notion of recognising Israel as a 'Jewish State' as a precondition to progress in the MEPP was employed further by Benjamin Netanyahu in 2009, after his election as Israeli Prime Minister.

¹⁹¹ Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap."

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

The eleventh reservation placed conditions on the continued Israeli transfer of Palestinian tax revenues, and called for the creation of a transitional Palestinian constitution and of a legal infrastructure.¹⁹⁵

In contrast to the tenets of Phase One of the Roadmap, which called for Israel to withdraw from areas occupied since 28 September 2000, the twelfth Israeli reservation stated that such a withdrawal would be subject to 'absolute quiet' and would be 'carried out in keeping with changes to be required by the nature of the new circumstances and needs created thereby.'¹⁹⁶ The 'security first' doctrine continued into the thirteenth reservation, which stated that Israeli restoration of 'Palestinian life to normal' would be 'subject to security concerns.'¹⁹⁷

Finally, the fourteenth reservation stated that 'Arab states will assist the process through the condemnation of terrorist activity,' and that 'no link will be established between the Palestinian track and other tracks (Syrian-Lebanese).'198

When viewed in aggregate, the fourteen Israeli reservations completely dismantled the central tenets of the Roadmap. The notion of international monitoring was jettisoned and replaced with a limited US presence, the notion of parallelism was replaced with a 'security first' doctrine requiring substantial reform and concessions from the Palestinians *before* Israeli action, and references to the end goals for the process were either removed or amended. Thus, the concept of Israeli 'acceptance' of the Roadmap *in conjunction* with their reservations was nonsensical, as the reservations altered the original text beyond recognition.¹⁹⁹

¹⁹⁵ Similarly to the third reservation, the eleventh called for steps which the Roadmap had already established, such as the creation of a Palestinian constitution.

¹⁹⁶ Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap."

¹⁹⁷ Ibid.

¹⁹⁸ Ibid.

¹⁹⁹ This did not stop Ariel Sharon from presenting the 14 reservations as additional features to the Roadmap, instead of refutations. On 20 June 2003, he stated that 'The State of Israel has accepted the steps detailed in the road map, plus the 14 points in which the Israeli government has decided.' See: US Department of State, "Joint Press Conference with Israeli Prime Minister Sharon," Prime Minister's Office, Jerusalem: 20 June, 2003.

In addition to their cumulative impact, the most important of the Israeli reservations was a modification of the conceptualisation of sequencing contained in the Roadmap.²⁰⁰ As Kurtzer explained:

The Roadmap was specifically designed for parallel and mutually reinforcing obligations. The Israelis hated that. Because they said 'first the Palestinians have to uproot terrorism, second they have to build credible institutions, and then we will do the things that you want us to do.' And the fact that that was not what the Roadmap called for, in a sense ruined it for them.²⁰¹

By positioning Palestinian security and political reforms as prerequisites to Israeli action, the reservations created the potential for an indefinite prolonging of the Roadmap's first phase.²⁰² As Weissglass reportedly remarked at the time, his conception of Phase One required:

...the Palestinians to control terrorists. It asks that the Palestinians become blue-eyed Scandinavians. We accept! When they become blue-eyed Scandinavians, we'll move on to Phase Two.²⁰³

Given that the Roadmap did not deal with the creation of a Palestinian state until its second and third phases, with progress contingent upon the first, the notion of a delayed first phase was a chief concern for the Palestinians.²⁰⁴ These concerns were compounded by the scale of the Palestinian security reforms contained within Phase One and exacerbated by Arafat's unwillingness to confront radical groups and Abbas' limited powers as Prime Minister.²⁰⁵ Despite having to 'fight' the Palestinians on security reform, Muasher argued that there was 'no comparison' between the Palestinian's limited ability, or motivation, to combat terrorism and Israel's 'lack of seriousness' about the Roadmap process as a whole:

Israel fundamentally objected to the principle of a Palestinian state, not to a detailed matter of security or another issue like that. So you can't equate the two in my view.²⁰⁶

²⁰⁰ As early as 18 December 2002 Sharon had made his interpretation of the sequencing of the Roadmap clear: 'the concept behind the plan is that only security will lead to peace. *And in that sequence.*' [emphasis added] See: Israel Ministry of Foreign Affairs, "Address by PM Ariel Sharon at the Fourth Herzliya Conference," Herzliya, Israel: 18 December, 2003.

²⁰¹ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

²⁰² The paradox of the 'security first' doctrine was summarised succinctly, and perhaps unintentionally, by Ariel Sharon at the 4 June 2003 Aqaba Summit, when he stated that 'ultimately, permanent security requires peace, and permanent peace can only be obtained through security.' See: US Department of State, "President Bush Meets with Leaders of Jordan, Israel and Palestinian Authority," Aqaba, Jordan: 4 June, 2003.

²⁰³ Bruck, "Back Roads."

²⁰⁴ Muasher. Interview with the author, Washington, DC, October, 2011.

²⁰⁵ Ibid.

²⁰⁶ Ibid.

According to Kurtzer, despite the misgivings on the Israeli side about the Roadmap, Israel felt unable at that time, especially given the context of US casualties in Iraq, to outright reject the plan.²⁰⁷ Consequently, they sought, through their reservations, to 'encumber it in a way that made it difficult to float,' and to reserve their ability to deny later having agreed to specific commitments.²⁰⁸ Likewise, deniability was a key to the US response to the reservations. While promising to 'address' Israeli concerns, the Bush Administration continued the strategy that had underpinned Powell's recent visit to the region. Specifically, this was to push for progress on the implementation of the plan, leaving the reservations to be resolved later on in the process, if at all. As Kurtzer noted:

...the President basically said 'thank you very much' and kind of set aside the reservations, because we never really did anything to address them, and proceeded to plunge into what we hoped would be the Roadmap implementation.²⁰⁹

The US approach severely undermined the Palestinian strategy of accepting the Roadmap 'as is' under the proviso that Israel would be forced either to accept or reject the plan in its original form. Essentially it allowed the Israelis to move forward maintaining both positions.²¹⁰ Muasher argued that the failure of the United States to address the antithetical nature of the Israeli reservations at the time of their issuance essentially nullified the Roadmap document.²¹¹ Conversely, Kurtzer argued that by sidestepping the Israeli reservations, the United States avoided unending negotiations that would have smothered the process before it had begun, and pursued political momentum that might be helpful in future efforts to resolve those differences.²¹²

The Aqaba Summit

In support of this goal, the Bush Administration convened a two day Summit in Jordan and Egypt to launch the Roadmap process between the parties and to encourage cooperation from regional actors. The two day multiple location format was a response to the reservations of some Arab leaders to attend a Summit in which Israeli

²⁰⁷ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ For example, in an 11 January 2004 press conference, Sharon emphasised Israeli acceptance of the Roadmap was inclusive of the reservations, when he stated that 'we adopted the Roadmap, with the 14 points our reservations [sic], and that's what the government approved.' See: Israel Ministry of Foreign Affairs, "Address by Prime Minister Ariel Sharon to the Foreign Press Corps in Israel," Jerusalem, Israel: 11 January, 2004.

²¹¹ Muasher. Interview with the author, Washington, DC, October, 2011.

²¹² As Kurtzer argued: '...if the President wanted to let the Roadmap die, the Israelis have reservations, and you send your diplomats off to negotiate, and then it's dead.' Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

representatives would be present.²¹³ Consequently, Bush met first with key regional actors at Sharm el-Sheikh on 3 June 2003,²¹⁴ and then with Israelis and Palestinians at Aqaba, Jordan, on 4 June. Importantly, Arafat was not invited to attend meetings on either day, marking the first time since becoming leader that the PLO Chairman had been superseded by another Palestinian in negotiations with the US. Furthermore, despite the fact that it was meant to launch the Roadmap, members of the Quartet other than the United States were also excluded from the Aqaba event.

On 4 June 2003, Bush met separately with the Israeli and Palestinian delegations, and then hosted a joint meeting with both parties. Security was a key focus of this meeting, and purportedly heated discussions erupted between Mohammad Dahlan (acting as the 'presumptive' Palestinian Interior Minister), Israeli Defence Minister Shaul Mofaz, and Israeli Prime Minister Sharon.²¹⁵ After this meeting, Bush reportedly told National Security Advisor Condoleezza Rice that:

We have a problem with Sharon I can see, but I like that young man [Dahlan] and I think their prime minister is incapable of lying. I hope that they will be successful. We can work with them.²¹⁶

To conclude the Aqaba Summit, King Abdullah, President Bush, Prime Minister Abbas and Prime Minister Sharon delivered addresses to the international media. US officials had been working with both parties in the region, but particularly with the Palestinians, for weeks on the wording of the speeches, with the dual aims that Abbas would call for an end to the *intifada* and Sharon would emphasise the need for territorial contiguity in the future state of Palestine.²¹⁷ Consequently, Abbas stated that 'the armed *intifada* must end, and we must use and resort to peaceful means in our quest to end the occupation and the suffering of Palestinians and Israelis.'²¹⁸

Sharon promised to 'immediately begin to remove unauthorized outposts' in the occupied territories, and also that:

²¹³ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 255.

²¹⁴ Specifically, Bush met with King Abdullah II of Jordan, Crown Prince Abdullah of Saudi Arabia, Hosni Mubarak of Egypt, King Hamad Al-Khalifa of Bahrain, and Mahmoud Abbas.

²¹⁵ For an in-depth account of this meeting, see: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 258.

²¹⁶ Eldar, A., "Bush Likes Dahlan, Believes Abbas, and Has a 'Problem with Sharon'," *Haaretz*, 10 June, 2003.

²¹⁷ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 259.

²¹⁸ US Department of State, "President Bush Meets with Leaders of Jordan, Israel and Palestinian Authority."

We can also reassure our Palestinian partners that we understand the importance of territorial contiguity in the West Bank for a viable Palestinian state. Israeli policy in the territories that are subject to direct negotiations with the Palestinians will reflect this fact.²¹⁹

While the tone and content of the speeches caused immediate concern in the Palestinian territories,²²⁰ for the work of the Quartet, the most important announcement at the Aqaba Summit was the appointment of US diplomat John Wolf,²²¹ who had no prior experience in the Middle East, as chief of the 'US coordination and Monitoring Mission' for the Middle East peace process.²²² Without informing their Quartet partners, the United States had effectively conceded to the fourth Israeli reservation to the Roadmap, which demanded that any monitoring presence be 'under American management.'²²³ Furthermore, active oversight of Wolf's mission was conducted by Rice, a move which exacerbated tensions between the White House and the State Department.²²⁴

After Wolf arrived in Israel on 15 June 2003, he immediately met with Israeli and Palestinian representatives, and began working on a security agreement to transfer control of the Gaza Strip and Bethlehem from the IDF to the Palestinian security services.²²⁵ Issues of security dominated the post Aqaba political process, and Sharon made clear on 20 June 2003 that this would continue to be the case:

²¹⁹ Ibid.

²²⁰ Bregman quotes an American official involved in the preparation of the speeches who noted that 'what we wanted Abu Mazen to say probably stretched the limits more than what Sharon had to say. He stuck his neck out, and was widely criticized for it on the Palestinian street.' Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 261.

²²¹ John Wolf took leave from his position as Assistant Secretary of State for Nonproliferation in order to act as the American envoy to the MEPP. In a *Washington Post* article, Bush Administration officials argued that Wolf's relative inexperience in the region would be an advantage, as neither party could accuse him of any pre-conceived bias. See: Kessler, G., "For Mideast Envoy, Rookie Status May Be an Advantage," *The Washington Post*, 22 July, 2003.

²²² US Department of State, "Road Map for Peace in the Middle East: Secretary Colin L. Powell and National Security Advisor Condoleezza Rice " Aqaba, Jordan: 4 June, 2003.

²²³ Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap."

²²⁴ Rice recounted that: 'I was concerned that I might be taking on too much of an operational role for a national security advisor. But it seemed to be one of those times when it was important to use my close relationship with the President to push the process forward. I felt bad that this produced press stories of a split between Colin and me. There was not. I kept him informed, and State supported my work. But some saw it as an affront to the nation's chief diplomat.' Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 219.

²²⁵ Wolf recounted to Bregman that 'the Israelis just kept going on about their expectations of me, and of the Palestinians. I don't think I recall them mentioning anything *they* had to do. They said they expected us to be tough with the Palestinians and make sure they comply fully with their obligations...they have to deal with terrorism, and if they don't the process can't go forward.' Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 264.

So long as there is terror, there will be no political process. Political processes cannot coincide with terror. That is why we expect the Palestinian Authority to wage a true, genuine struggle against terrorism, a true, genuine one. Without that, I believe we cannot reach peace or a political arrangement.²²⁶

President Bush made similar remarks the next month.²²⁷ Thus, during this period, Wolf was negotiating an agreement on security in Gaza at the same time that Abbas was negotiating with the Palestinian factions to declare a ceasefire. In this context, 122 days since their last statement, the Quartet met at the Movenpick hotel at the Dead Sea, Jordan, to discuss the situation. The 22 June 2003 Quartet statement was supportive of Abbas' efforts, and, somewhat ironically, welcomed the mission of John Wolf, labelling it a:

Credible and effective structure led by the United States, in close cooperation with the Quartet, to coordinate, monitor, and promote implementation of the parties' commitments and responsibilities, as laid out in the roadmap.²²⁸

Importantly, in the press conference after the Quartet statement was issued, Annan asked to speak in his capacity as the UNSG, and noted that:

I would wish to say that in keeping with the approach laid out in the roadmap, the principle of parallelism should be maintained. We must address security, humanitarian and political issues at the same time... Unless the Palestinians feel a positive change in their daily lives, feel a change in their daily lives including movement restrictions, freezing settlement activities and re-establishing economic activity, I fear that there will not be sufficient public support to sustain peace.²²⁹

On 27 June 2003, Wolf concluded negotiations on the 'Gaza Agreement,' which handed over security responsibilities from the IDF to the Palestinian security services in Gaza and Bethlehem.²³⁰ The following day, Abbas concluded his ceasefire negotiations with the Palestinian factions, obtaining a three month cessation of hostilities from Hamas, Islamic Jihad, and Fatah's Tanzim (but excluding the Al-Aqsa Martyrs Brigade).²³¹

²²⁶ US Department of State, "Joint Press Conference with Israeli Prime Minister Sharon."

²²⁷ When questioned about Israeli settlements in the occupied West Bank, President Bush stated that 'the more progress there's made on terror, the more progress there will be made on difficult issues [i.e. settlements]. See: US Department of State, "President Bush Welcomes Prime Minister Abbas to White House," The Rose Garden, The White House, Washington, DC: 25 July, 2003.

²²⁸ US Department of State, "Statement by the Quartet," Movenpick, Dead Sea: 22 June, 2003.

²²⁹ US Department of State, "Joint Press Briefing at the World Economic Forum With United Nations Secretary General Kofi Annan, Russian Foreign Minister Igor Ivanov, European Union High Representative Javier Solana, and Greek Foreign Minister George Papandreou," Dead Sea, Jordan: 22 June, 2003.

²³⁰ See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, pp. 264-7.

²³¹ *Ibid.*, p. 267.

The West Bank Barrier

It was during the subsequent lull in violence that a major issue in the Middle East peace process came to the forefront, namely the construction of a barrier²³² through the West Bank for the ostensible purpose of reducing Palestinian terrorist attacks in Israeli territory.²³³ Annan noted that:

The construction of the separation wall is a unilateral act not in keeping with the road map. Its building has involved the separation of Palestinians from their lands and from each other.²³⁴

The barrier created a significant hurdle for the implementation of the Roadmap, and during this period reports emerged that Israeli and Palestinian officials now considered the Quartet to be 'dead.'²³⁵ On 25 July 2003, Abbas met with Bush at the White House (a privilege that had been denied to Arafat) and used the occasion to seek an intervention from the President on the issue of the barrier.²³⁶ When asked about their discussion in the press conference following their meeting, Bush stated:

I think the wall is a problem, and I discussed this with Ariel Sharon. It is very difficult to develop confidence between the Palestinians and Israel with a wall snaking through the West Bank.²³⁷

Bush welcomed Sharon's commitment to come to Washington to discuss the barrier, and four days later Sharon stood with Bush to declare that 'the security fence will continue to be built, with every effort to minimize the infringement on the daily life of

²³² The all-encompassing term 'barrier' is used in this thesis to describe the construction built by Israel in this context, in part to neutralise the semantic discussions about the appropriateness of the terms 'wall' and 'fence,' and to remove loaded terms such as 'security' or 'separation'. This should not be interpreted as a comment on the nature of the construction, which includes tall concrete walls, guard towers, and sections of fencing. Furthermore, discussion of the stated and unstated purposes of the barrier is included in this thesis, but the terminology employed in this analysis is deliberately value neutral.

²³³ According to Annan, when he confronted Ariel Sharon about the path and nature of the West Bank barrier, Sharon stated that 'good fences make good neighbours,' to which Annan replied 'but only if the fence is not built through your neighbour's land.' See: Annan, *Interventions: A Life in War and Peace*, p. 253.

²³⁴ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/58/416-S/2003/947: 10 October, 2003, p. 11.

²³⁵ Ward Anderson, J., "Palestinians Wary of Peace Plan Shift: Some Call New Approach One-Sided," *Washington Post*, 24 July, 2003.

²³⁶ According to an account in Bregman, Abbas presented Bush with a detailed map of the West Bank showing the proposed, and current, route of the barrier, and then organised for a member of the media to ask Bush about the wall in the press conference following their meeting. See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 270.

²³⁷ US Department of State, "President Bush Welcomes Prime Minister Abbas to White House."

the Palestinian population.²³⁸ Furthermore, Bush outlined a softened stance on the barrier, which he now called a 'fence.'²³⁹

The Bush Administration, including the State Department,²⁴⁰ had resolved to monitor the path of the barrier, but not to take any action that would halt its construction, essentially giving Sharon a green light to continue the process.²⁴¹ This was confirmed on 14 October 2003, when the United States vetoed a United Nations Security Council Resolution condemning the barrier.²⁴²

Discussion of the barrier was sidelined by the violence of August 2003, which ended the ceasefire between the parties and derailed the already failing Roadmap process. On 14 August 2003, the IDF killed Mohammed Seder, the head of Islamic Jihad's militant wing in Hebron, and Abbas and Dahlan tried in vain to restrain Hamas from retaliating amid alleged interference from Arafat, who had maintained strong involvement in the security sector.²⁴³ Ultimately, neither Abbas nor Dahlan succeeded, and on 19 August 2003 a Hamas suicide bomber, Majd Zaatari, detonated an explosives belt on a crowded bus in Jerusalem, killing 23 and injuring 100 others. Israel responded two days later with a helicopter strike in Gaza that killed Hamas official Ismail Abu Shanab.

For the Bush Administration, the perceived failure of Abbas and Dahlan to restrain the Palestinian factions dealt a heavy blow to the credibility of the Palestinian leaders.²⁴⁴

²³⁸ US Department of State, "President Bush Discusses Middle East Peace With Prime Minister Sharon," The Rose Garden, The White House, Washington, DC: 29 July, 2003.

²³⁹ Bush stated: 'But, look, the fence is a sensitive issue, I understand. And the Prime Minister made it very clear to me that it was a sensitive issue. And my promise to him is we'll continue to discuss and to dialogue how best to make sure that the fence sends the right signal that not only is security important, but the ability for the Palestinians to live a normal life is important, as well.' Ibid.

²⁴⁰ In an interview with Reuters, Powell stated that the barrier was an 'area that will have to be discussed as we move forward,' noting that 'there are other phases of construction coming along and the President has made it clear that if the fence is constructed in a way which continues to intrude on Palestinian land -- even if it is compensated for -- in a way that makes it harder to go forward with the additional elements of the roadmap, especially the creation of a Palestinian state with transitional features to it on the way to a final solution, a permanent solution, then that is a problem.' See: US Department of State, "Interview with Reuters," Washington, DC: 30 July, 2003.

²⁴¹ The key to understanding this decision was the 'security dimension' of the barrier. As Powell recounted to Bregman, 'it's hard to argue when you're under attack that you shouldn't protect yourself, and if one way to protect yourself is with a fence, that's fine...[Sharon's] counter argument was a fence can go up, a fence can come down, so we're not making a final judgment as to where the line will be.' Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 271.

²⁴² United Nations Security Council, "Security Council Fails to Adopt Draft Resolution Declaring Illegal Israeli Construction of Wall in Occupied Territories," 4842nd Meeting, 14 October, 2003.

²⁴³ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 272.

²⁴⁴ According to Muasher, in September 2003, during the visit of King Abdullah II of Jordan to Camp David, Bush remarked that he had 'bet on Abbas, and lost the bet,' and that Powell also expressed disappointment with Abbas and Dahlan. Furthermore, Bush reportedly commented on the prism through which he was viewing the recent violence, stating that 'We are in a war mentality. If we fight terror there

Also, as stated previously, the deteriorating security situation undermined the nascent political process. According to Wolf, after the violence of August 2003 'the whole process [of Roadmap implementation] was constipated.'²⁴⁵ Powell attempted to counter the notion of a vanishing Roadmap process, stating that:

The end of the roadmap is a cliff that both sides will fall off of, and so we have to understand the consequences of the end of the roadmap. So it is not the end of the roadmap.²⁴⁶

On 6 September 2003, Abbas resigned as Palestinian Prime Minister, citing interference from Arafat, including through the original disempowerment of Prime Ministerial position, and a lack of support from the United States and Israel.²⁴⁷ For the US, this created a so-called 'pause' in the Roadmap process, as the most trusted Palestinian interlocutor was no longer available, and the incoming PM, Palestinian Legislative Council speaker Ahmed Qureia (Abu Ala), did not have a cabinet sworn in.²⁴⁸ For the United States in particular, the extent to which the incoming Prime Minister had legitimate control over the security forces was paramount for the continuation of the political process.²⁴⁹ After the attacks in August, Powell stated that:

We [The United States] pressed the Palestinians. They tried to make a play for control of all the security forces and Abu Mazen couldn't pull it off, and he felt he had to resign.²⁵⁰

On 25 September 2003, in light of the deteriorating political and security situation, Wolf was recalled to Washington until further notice, having monitored the progress of the parties for three months, and without publishing any of his findings. As reported by Kessler, 'the envoy, John S. Wolf, produced a multicolored matrix that documented how each side failed to meet agreed targets, but it was never made public to avoid

[in the occupied territories], I am prepared to gallop.' See: Muasher, *The Arab Center: The Promise of Moderation*, p. 195.

²⁴⁵ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 275.

²⁴⁶ US Department of State, "Remarks with United Nations Secretary General Kofi Annan After Their Meeting " New York city: 21 August, 2003.

²⁴⁷ Bregman, *Elusive Peace: How the Holy Land Defeated America*, pp. 277-8.

²⁴⁸ US Department of State, "Interview by the Washington Post: Secretary Colin L. Powell," Washington, DC: 3 October, 2003.

²⁴⁹ As Powell noted in the press conference following the September 26 statement, 'That roadmap is still valid, and we are now waiting to see whether or not the Palestinian people are able to put in place, through their own system, a prime minister who will enjoy political authority and control over all the security forces so that we can start moving again down the path laid out by the roadmap.' US Department of State, "Press Availability With UN Secretary General Kofi Annan; Foreign Minister Franco Frattini of Italy in the Capacity of European Union Presidency; European Union High Representative Javier Solana; and Foreign Minister Igor Ivanov of the Russian Federation," New York City: 26 September, 2003.

²⁵⁰ US Department of State, "Interview by the Washington Post: Secretary Colin L. Powell."

embarrassing disclosures.²⁵¹ The following day, the Quartet members met for the first time in three months to issue their eighth statement. This statement reflected the complex and worsening circumstances surrounding the stalled implementation of the Roadmap and demonstrated the challenges faced by the Quartet members in this context.²⁵² The statement urged the parties to the conflict to 'simultaneously address the core concerns of the other,' and condemned the 'vicious terror attacks of August and September carried out by Hamas, Islamic Jihad, and the Al-Aqsa Martyrs Brigade.'²⁵³ In addition, it noted with dismay the resignation of Abbas, and expressed 'great concern' about the 'actual and proposed route of Israel's West Bank Fence.'²⁵⁴ Furthermore, the Quartet members used the statement to flag the potential use of a UNSCR to 'increase the authority' of the grouping regarding enforcing implementation from the parties.²⁵⁵ The statement ended with an affirmation that the Quartet members intended to 'continue to follow closely the implementation by the parties of their obligations,' and to meet again prior to the end of 2003.²⁵⁶

As was the case with many of the Quartet statements, the subtext of the 26 September 2003 meeting was more apparent in the press conference that followed, where the issue of the ongoing utility of the grouping dominated the proceedings. When asked whether the Quartet was an exercise in futility, Annan defended the grouping, but admitted that the present circumstances provided few options for progress:

Each member [of the Quartet] brings something to the table. And the fact that the US may have a greater influence does not mean the others don't have a role. Obviously, the process, as I said, is in a bit of a distress, but it is the only option we have and we are going to press the parties to honor their commitments on the roadmap. And all of

²⁵¹ Kessler, "Road Map' Setbacks Highlight US Pattern."

²⁵² In particular, it was evident in the press conference following the statement that the non-American Quartet members used the opportunity to lobby US Secretary of State Powell about increasing their respective involvement in the Roadmap monitoring process.

²⁵³ US Department of State, "Final Quartet Statement," New York City: 26 September, 2003.

²⁵⁴ Ibid.

²⁵⁵ Sergei Lavrov noted in the press conference following the statement that 'we need to think about how to increase the powers, the authority of the Quartet so that the roadmap can be implemented in practice. It could be through a resolution of the Security Council.' See: US Department of State, "Press Availability With UN Secretary General Kofi Annan; Foreign Minister Franco Frattini of Italy in the Capacity of European Union Presidency; European Union High Representative Javier Solana; and Foreign Minister Igor Ivanov of the Russian Federation."

²⁵⁶ It is unclear whether the principals actually met during this period, but the records show that the next Quartet statement was not issued until May 2004. US Department of State, "Final Quartet Statement."

us here on this podium have a role to play, and the importance of our influence may differ from time to time and differ from party to party.²⁵⁷

On 2 October 2003, as the security situation continued to worsen, the United States announced the redesignation of 25 groups as foreign terrorist organisations under US law, including Hezbollah, Hamas, and the Popular Front for the Liberation of Palestine (with al-Aqsa Martyrs Brigade already on the list).²⁵⁸ On 15 October, a US convoy was bombed in Gaza, killing three security personnel and seriously injuring another.²⁵⁹ After the attack, the US Monitoring Mission headquarters were decommissioned, and the team members returned to Jerusalem. This effectively ended the official monitoring of the Roadmap.

The breakdown in the ceasefire and the stalled implementation of the Roadmap created fertile ground for the involvement of international actors in the Israeli-Palestinian conflict.²⁶⁰ As the Quartet members had hinted in September, they attempted to re-start the Roadmap process through the UN Security Council, where, on 19 November 2003, the Roadmap was enshrined in UNSCR 1515.²⁶¹ The resolution welcomed and encouraged the 'diplomatic efforts of the international Quartet,' endorsed the 'Quartet Performance-based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict,' and called on the parties to fulfill their obligations under the Roadmap 'in cooperation with the Quartet'.²⁶² In effect, however, UNSCR 1515 merely added another layer to an already complicated Roadmap process, by authorising a marginalised and informal grouping to oversee a stalled implementation process between two parties with differing interpretations of their commitments. Furthermore,

²⁵⁷ US Department of State, "Press Availabilty With UN Secretary General Kofi Annan; Foreign Minister Franco Frattini of Italy in the Capacity of European Union Presidency; European Union High Representative Javier Solana; and Foreign Minister Igor Ivanov of the Russian Federation."

²⁵⁸ US Department of State, "Redesignation of Foreign Terrorist Organizations," Washington, DC: 2 October, 2003.

²⁵⁹ The security personnel were accompanying the convoy visiting Gaza to conduct interviews for Fulbright scholarships.

²⁶⁰ It was during this low ebb that the Geneva Accord, a Swiss track II initiative, was signed in Jordan after two years of negotiations. The document offered a model of a conclusive peace treaty on all final status issues negotiated between parliamentarians, academics and officials from Israel and Palestine.

²⁶¹ United Nations Security Council, "Resolution 1515: The Situation in the Middle East, Including the Palestinian Question," S/RES/1515: 19 November, 2003.

²⁶² Ibid.

the resolution also elevated the text of the Roadmap from an *ad hoc* agreement among members of the international community into a form of international law.²⁶³

One month after the Roadmap process was endorsed by the UN Security Council, Sharon altered the discourse of the Israeli-Palestinian conflict, further sidelining the plan. On 18 December 2003, in a speech at the Herzliya Conference, the Israeli Prime Minister announced his intention to unilaterally withdraw Israel Defense Forces and settlers from the Gaza Strip.²⁶⁴ Sharon positioned this policy as a response to supposed Palestinian inaction regarding security reform, stating that he did 'not intend to wait for them indefinitely.'²⁶⁵ Critically, the disengagement policy outlined by Sharon was presented as an *alternative* to the Roadmap process, where it was argued that if the Palestinians 'continue to disregard their part in implementing the Roadmap then Israel will initiate the unilateral security step of disengagement from the Palestinians.'²⁶⁶ Furthermore, Sharon made it clear that through the 'Disengagement Plan' the Palestinians would 'receive much less than they would have received through direct negotiations as set out in the Roadmap.'²⁶⁷

By the end of 2003, the Israeli-Palestinian conflict was at a crossroads. The Roadmap process, based on compromise and ambiguity, was derailed by Israeli re-interpretation, and was followed by an outbreak of political violence. This was exacerbated by a divided and permissive Bush Administration and non-US Quartet members proving unable to affect meaningful independent change. While the Quartet members had been involved in the crafting of the Roadmap document and the push for Palestinian political and security reform, the breakdown in the implementation process and Abbas' resignation had undone the two major achievements of the grouping. Furthermore, the proposed unilateral Israeli disengagement came to dominate the work of the Quartet members in the following years. This further sidelined the Roadmap plan and, by extension, reduced the perceived legitimacy and importance of the grouping.

²⁶³ As a European Union official remarked, despite the Israeli reservations, the 'Roadmap is accepted by the parties and has been endorsed by the Security Council, so as far as we're concerned, it's international law.' EU Official. Interview with the author, Brussels, Belgium, November, 2011.

²⁶⁴ Israel Ministry of Foreign Affairs, "Address by PM Ariel Sharon at the Fourth Herzliya Conference."

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ Ibid.

Chapter Six: The Disengagement Process, 2004-2005

Whether we will be able to advance the Roadmap, or will have to implement the Disengagement Plan, experience has taught us that, together, through broad national consensus, we can do great things.

- Ariel Sharon, Israeli Prime Minister (2001-2006).¹

The significance of the disengagement plan is the freezing of the peace process. And when you freeze that process, you prevent the establishment of a Palestinian state, and you prevent a discussion of the refugees, the borders and Jerusalem. Effectively, this whole package called the Palestinian state, with all that it entails, has been removed indefinitely from our agenda. And all this with authority and permission. All with a presidential blessing and the ratification of both houses of Congress.

- Dov Weissglass, senior advisor to Israeli Prime Minister Ariel Sharon (2001-2006).²

Introduction

The Gaza disengagement was a paradigm shift within the context of the Israeli-Palestinian conflict. By declaring his intention to unilaterally withdraw Israeli personnel from territory occupied since 1967, Prime Minister Sharon circumvented the political process and focused the discourse of the peace process entirely on territorial and security issues. For the members of the Quartet, Sharon's plan was a challenge to both the viability of the Roadmap implementation process and to the continued utility of the grouping itself.³

Presented as an *alternative* to the Roadmap process, the proposed disengagement plan contained components that were inimical to the steps called for in the Roadmap document. For example, Sharon outlined in his Herzliya speech that the government of Israel would halt the construction of additional settlements, but stopped short of the total freeze *within* existing settlements called for in the Roadmap.⁴ Furthermore, while Israeli military personnel and settlers were to be withdrawn from inside the Gaza Strip, the disengagement plan also called for the parallel solidification of other large Israeli

¹ Israel Ministry of Foreign Affairs, "Address by PM Ariel Sharon at the Fourth Herzliya Conference," Herzliya, Israel: 18 December, 2003.

² Shavit, A., "Top PM Aide: Gaza Plan Aims to Freeze the Peace Process," *Haaretz*, 6 October, 2004.

³ In 2004 the members of the Quartet issued only two statements; one on 4 May, and one on 23 September. As Jordanian Foreign Minister Marwan Muasher explained, the Roadmap had elevated the importance of the Quartet for the Arab states, but 'when that plan disappeared, what was there to talk to the Quartet about? There was no negotiations process, no plan, so the whole stature was lowered.' Muasher, M., Former Jordanian Foreign Minister and current Vice President for studies at the Carnegie Endowment for International Peace, interview with the author, Washington, DC, October, 2011.

⁴ In the speech, Sharon stated that there would be 'no construction beyond the existing construction line, no expropriation of land for construction, no special economic incentives and no construction of new settlements.' See: Israel Ministry of Foreign Affairs, "Address by PM Ariel Sharon at the Fourth Herzliya Conference."

settlements, predominantly within the West Bank, that were deemed likely to become part of Israel in any future resolution of the territorial issues.⁵

In essence, the disengagement plan pre-supposed the parameters of any future territorial resolution, and was, therefore, a unilateral pre-determination of a final status issue, explicitly ruled out by the Roadmap.⁶ Furthermore, despite the UN General Assembly voting on 8 December 2003⁷ to request an advisory opinion from the International Court of Justice on the legal consequences of Israel's barrier in the West Bank, Sharon promised also to 'greatly accelerate the construction of the security fence.'⁸

The use of the Quartet as a platform for shaping the disengagement process was complicated by the fact that, in November 2003, Sharon received tacit approval of his strategy from Bush Administration officials in Rome.⁹ For the non-US members of the Quartet, despite the fact that the disengagement plan sidelined the Roadmap process, it was difficult to oppose outright because of both US support and the politically appealing notion of Israeli plans to voluntarily cede territory to Palestinians. As Annan recounted later:

Whatever my considerable misgivings, I decided that I could not be opposed to an Israeli withdrawal from land that did not belong to Israel. But I was equally clear that this was the "right thing, done the wrong way."¹⁰

While the actual disengagement did not commence until 15 August 2005, discussion of the plan, and the coordination of efforts to facilitate its execution, dominated the discourse of the Middle East peace process until that date, sidelining both the Roadmap and the Quartet.

⁵ Sharon stated that: 'Settlements which will be relocated are those which will not be included in the territory of the State of Israel in the framework of any possible future permanent agreement. At the same time, in the framework of the Disengagement Plan, Israel will strengthen its control over those same areas in the Land of Israel which will constitute an inseparable part of the State of Israel in any future agreement.' Ibid.

⁶ As discussed previously, the Roadmap clearly established that territorial issues were to be addressed in Phase Three, and to be negotiated between the Israelis and Palestinians. See: US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict," Washington, DC: 30 April, 2003.

⁷ United Nations General Assembly, "Illegal Israeli Actions in Occupied East Jerusalem and the Rest of the Occupied Palestinian Territory," A/RES/ES-10/14, New York City: 8 December, 2003.

⁸ Israel Ministry of Foreign Affairs, "Address by PM Ariel Sharon at the Fourth Herzliya Conference."

⁹ According to an interview with an American official presented in *Elusive Peace*, Sharon, accompanied by his Chief of Staff Dov Weissglass, met with American NSC specialist Elliott Abrams on 19 November in Rome to discuss the disengagement plan. See: Bregman, A., *Elusive Peace: How the Holy Land Defeated America* (London; New York: Penguin, 2005), p. 280.

¹⁰ Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 289.

This chapter seeks to answer the question, *what were the outputs of the Quartet in 2004 and 2005?*

In essence, this chapter argues that throughout 2004 and 2005 the members of the Quartet operated almost exclusively in a *reactive* capacity to developments in the Middle East and Washington. The disengagement plan sidelined both the Roadmap and the non-US members of the Quartet and changed the trajectory of the Israeli-Palestinian conflict. Consequently, the work of the Quartet members during the disengagement period was constrained by circumstances outside their control or influence.

The chapter is divided into two chronological sections. The first section examines the events of 2004, including the exchange of letters between President Bush and Prime Minister Sharon, and the domestic political contest in Israel over the proposed disengagement plan. The second section examines the events of 2005, including the appointment of the Quartet envoy to the disengagement process, the politics surrounding the execution of the disengagement operation, and the issues surrounding the participation of Hamas in the Palestinian Legislative Council (PLC) elections.

2004: The Israeli Disengagement Plan

If you look at the history of the Quartet, it was a working mechanism that produced things under extremely difficult circumstances. Remember, from the Israelis there was a complete boycott of Arafat, and Sharon stood for, number one, sequentialism, which meant that absolutely nothing happened politically, and then unilateralism with Gaza. To be an envoy and negotiator in such a climate was extremely frustrating and difficult, but what carried us through that period was the Quartet.

- Terje Roed-Larsen, United Nations Special Coordinator for the Middle East Peace Process (1999-2004).¹¹

In early 2004, Sharon had yet to secure approval for the disengagement plan from the members of his cabinet, who were wary of the territorial concessions contained in the plan.¹² In the period following his Herzliya speech, Sharon sought to bolster his domestic political campaign for disengagement by gaining political assurances from the Bush Administration. Specifically, the Israeli Prime Minister sought to allay domestic concerns that territorial concessions in Gaza would be followed by similar territorial

¹¹ Roed-Larsen, T., Former United Nations Special Coordinator for the Middle East peace process, interview with the author, New York City, October, 2011.

¹² On 6 June 2004, Sharon's cabinet approved the disengagement plan while proposing several addendums. These will be discussed in a subsequent section of this chapter. See: Israel Ministry of Foreign Affairs, "The Cabinet Resolution Regarding the Disengagement Plan," Tel Aviv, Israel: 6 June, 2004.

concessions in the West Bank.¹³ This proposed assurance was to come from an exchange of letters between Sharon and Bush that would declare the need for the changes in territorial realities since 1967 to be taken into account in any future peace treaty.¹⁴ In other words, the Israeli disengagement from Gaza was being offered as a *quid pro quo* for the *de facto* legitimisation, by Washington, of the largest Israeli settlements in the West Bank.¹⁵ Compounding this issue was the notion, presented by Israeli officials such as Weissglass, of equivalence between the Gaza Strip and the West Bank in Israeli strategic calculations. Indeed, in the previous year Sharon had already begun to link the declining state of Israeli's economy to the continuation of the occupation, stating that:

...the thought and idea that we can continue keeping under occupation – we might not like the word, but it is an occupation – 3.5 million Palestinians, is very bad for Israel, the Palestinians, and Israel's economy.¹⁶

Furthermore, while Sharon presented the entire occupation as a burden on the Israeli economy, the occupation in Gaza was particularly burdensome. As Rice recounted:

The IDF no longer wanted to defend those isolated settlements, and Gaza, with its large, angry, and poor Palestinian population, had no future in a Jewish democratic state.¹⁷

The notion of reducing Israeli liabilities and ongoing financial burdens in the Gaza Strip (while solidifying the Israeli presence in the West Bank) was a political win-win for the Israelis, not a concession. As Annan argued later:

Sharon viewed the disengagement as a tool to rid Israel of a liability while consolidating its hold on key West Bank settlement blocs.¹⁸

In order to counteract this narrative, US officials sought to convince the Israeli Prime Minister to also evacuate a limited number of settlements in the West Bank. According

¹³ Rice recounted that: 'To make this advance toward peace, Dubi (Weissglass) said, Sharon needed to assure the public that a few of the most established settlements in the West Bank would remain intact in any future peace agreement.' See: Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 280.

¹⁴ In addition to these developments, Sharon also sought to weaken the Hamas leadership structure in the lead up to the disengagement. Consequently, on 22 March 2004, the IDF assassinated Sheikh Ahmed Yassin, the spiritual leader of Hamas, and on 17 April 2004 assassinated his replacement, Aziz Rantisi. See: Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 282.

¹⁵ These events were also taking place within the context of an American presidential election year, in which maintaining the support and cooperation of the Israeli Prime Minister was of importance for President Bush.

¹⁶ Bennet, J., "Sharon Laments "Occupation" and Israeli Settlers Shudder," *The New York Times*, 1 June, 2003.

¹⁷ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 280.

¹⁸ Annan, *Interventions: A Life in War and Peace*, p. 288.

to Powell's account, presented in *Elusive Peace*, he urged Sharon to 'do something in the West Bank as well,' because 'it's got to be seen as part of a comprehensive approach to the problem and not just [a withdrawal from the Gaza Strip].' Consequently, the Israeli PM reportedly agreed to evacuate the small settlements of Kadim, Ganim, Sa-Nur and Chomesh in the northern West Bank.¹⁹

Quartet Frustrations Go Public

In January 2004, tensions between the Quartet members went public, with European officials admitting that the Roadmap was 'completely paralysed' and that the grouping was held 'hostage' by both a declining process and by US inaction.²⁰ A senior US official confirmed that the non-US Quartet members had been 'ratcheting up the heat,' and that:

It's largely from the Europeans, who are threatening to stop being a silent partner in the peace process. But the Russians echo the same message and Kofi Annan has been pretty strong on the need for something to be done.²¹

The more proactive European approach was evident in March 2004, when the European Council (EC) issued a statement supporting a return to the Roadmap process that discouraged any modification to the 1967 borders decided outside the scope of bilateral relations between the Israelis and Palestinians.²² As negotiations continued between Israeli and US officials over the wording of the proposed letters, the EC statement declared that:

The European Union will not recognise any change to the pre-1967 borders other than those arrived at by agreement between the parties.²³

Furthermore, the members of the EC argued that the proposed Israeli withdrawal from the Gaza Strip could only be considered a step towards the implementation of the Roadmap if it 'did not involve a transfer of settlement activity to the West Bank,' if 'there was an organized and negotiated handover of responsibility to the Palestinian Authority,' and if 'Israel facilitated the rehabilitation and reconstruction of Gaza.'²⁴ European concerns about the disengagement process and the proposed exchange of letters between Bush and Sharon were mirrored by those of Jordan's King Abdullah

¹⁹ Bregman, *Elusive Peace: How the Holy Land Defeated America*, p. 283.

²⁰ Wright, R. and Lynch, C., "US Pressed to Revive Mideast Peace Process; UN, Europe, Russia Explore Alternatives," *Washington Post*, 7 January, 2004.

²¹ Ibid.

²² European Union Council, "Presidency Conclusions," Brussels, Belgium: 26 March, 2004.

²³ Ibid.

²⁴ Ibid.

when he wrote to Bush on 8 April 2004. According to Jordanian Foreign Minister Marwan Muasher, the King told President Bush that:

...the Israeli proposal to withdraw from Gaza should be part of the Road Map leading to the achievement of this vision rather than a substitute for it, which would have dangerous negative repercussions on Jordan.²⁵

Reportedly, the King also cautioned Bush against any 'concessions on borders that would suggest any major deviation from the 1967 border arrived at through agreement by the two parties,' and argued that the possibility of an agreed solution to the refugee problem should also not be diminished by any declarations contained within Bush's letter to Sharon.²⁶ According to Muasher, Powell tried to dissuade the White House from using the particular wording of the final version of the letter, but was ultimately unsuccessful.²⁷

President Bush and Prime Minister Sharon Exchange Letters

On 14 April 2004, Bush and Sharon met in Washington DC to exchange the letters that had been negotiated by their representatives over the previous months.²⁸ Sharon's letter to Bush began with a rationalisation of the proposed disengagement. According to Sharon, he planned to 'initiate a process of gradual disengagement with the hope of reducing friction between Israelis and Palestinians,' ostensibly because 'there exists no Palestinian partner with whom to advance peacefully toward a settlement.'²⁹ Furthermore, Sharon's letter claimed that while the disengagement plan sat outside the framework of the Roadmap, the two initiatives were not inconsistent,³⁰ and added that Israel would oppose any alternative plan.³¹

²⁵ Muasher, M., *The Arab Center: The Promise of Moderation* (New Haven: Yale University Press, 2008), p. 204.

²⁶ Ibid.

²⁷ According to Muasher, Powell said 'that he had urged the White House to consider my suggestions but had failed to convince officials to do so...I knew that Powell agreed with the Jordanian position, and his frustration was palpable over the phone.' See: Ibid., p. 205.

²⁸ According to Rice's account, she and Dov Weissglass led the negotiations, with input from Prime Minister Sharon and American officials Steve Hadley and Elliott Abrams. See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 281.

²⁹ Israel Ministry of Foreign Affairs, "Exchange of Letters between PM Sharon and President Bush," Washington, DC: 14 April, 2004.

³⁰ Sharon's letter stated that: 'this initiative, which we are not undertaking under the roadmap, represents an independent Israeli plan, yet is not inconsistent with the roadmap.' Ibid.

³¹ This particular comment was likely in relation to both the recently signed 'Geneva Accord,' and the EC statement. Sharon noted that: 'Progress toward this goal must be anchored exclusively in the Roadmap and we will oppose any other plan.' Ibid.

The Sharon letter also included a reiteration of the Israeli position on the West Bank barrier, stating that it was a 'security rather than political barrier, temporary rather than permanent,' and that the path of the barrier would take into account 'consistent with security needs, its impact on Palestinians not engaged in terrorist activities.'³² Sharon's security-centric characterisation of the Palestinians was repeated in the final section of the letter, which outlined the 'responsibilities facing the state of Israel':

These include limitations on the growth of settlements; removal of unauthorized outposts; and steps to increase, to the extent permitted by security needs, freedom of movement for Palestinians not engaged in terrorism.³³

Thus, Sharon's letter to Bush was an attempt to situate the Gaza disengagement plan within the notional framework of the Roadmap, to discourage the formulation of alternative initiatives by outside actors (i.e. Europeans), and to continue the re-conceptualisation of Israeli commitments *vis-a-vis* the Palestinians through the prism of Sharon's 'security first' doctrine.

While Bush's letter to Sharon largely overlapped with the positions outlined by the Israeli leader, it also included two important additional passages regarding final status issues. Bush's letter began by supporting the Gaza disengagement plan,³⁴ and mirroring Sharon's opposition to alternative plans.³⁵ Furthermore, Bush's letter included a conditional acceptance of the Israeli position on the West Bank barrier, essentially granting tacit approval of continued construction on the basis of Israeli reassurances:

...your [Sharon's] government has stated that the barrier being erected by Israel should be a security rather than political barrier, should be temporary rather than permanent, and therefore not prejudice any final status issues including final borders, and its route should take into account, consistent with security needs, its impact on Palestinians not engaged in terrorist activities.³⁶

While these passages illustrate the closeness of the positions of the White House and Israel at this time, it should be noted that US support for the Israeli disengagement plan and inferred acceptance of the West Bank barrier were already established positions of

³² Ibid.

³³ The dichotomy present in this phrasing illustrates the skewed perspective of the security-centric approach of the Sharon government, crudely dividing Palestinian civilians into those engaging in terrorism and those not engaging in terrorism. Ibid.

³⁴ The letter stated: 'We welcome the disengagement plan you have prepared, under which Israel would withdraw certain military installations and all settlements from Gaza, and withdraw certain military installations and settlements in the West Bank.' Ibid.

³⁵ The letter stated that: 'the United States will do its utmost to prevent any attempt by anyone to impose any other plan.' Ibid.

³⁶ Ibid.

the Bush Administration.³⁷ Consequently, the most controversial sections of Bush's letter to Sharon were the passages relating to Palestinian refugees and the 1967 borders. Indeed, despite US officials, including the President, consistently maintaining that the United States was 'not going to prejudge the final status discussions',³⁸ Bush's letter to Sharon did just that. Firstly, Bush stated that:

The United States is strongly committed to Israel's security and well-being as a Jewish state. It seems clear that an agreed, just, fair and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found through the establishment of a Palestinian state, and the settling of Palestinian refugees there, rather than in Israel.³⁹

In one sentence, President Bush had altered the US declaratory position on the Palestinian right of return, effectively prejudging a core final status issue. According to Rice's account of the negotiation process leading to Bush's letter, she was convinced by Israeli politician Tzipi Livni's presentation of Israel's historical claims to the land:

I took a deep breath and tried to understand, and slowly I came to see what she [Livni] meant. Most of us thought of the creation of Israel in the context of the horrors of World War II and the Holocaust. But for most Israelis, their country's birth had instead been the fulfilment of a long historical and religious journey to re-establish "the Jewish state." The right of return for Palestinians was inconsistent with the conclusion of that thousands-year-old process. Despite the dissonance that it stirred in me, I suggested that the President include the line that made clear that Palestinian refugees would be expected to live in Palestine. That would allow the democratic state of Israel to be "Jewish."⁴⁰

Importantly, Bush's letter to Sharon contradicted the text of the Roadmap on the refugee issue, which stated that the parties to the conflict should negotiate an 'agreed, just, fair, and realistic solution'.⁴¹ Despite the use of the phrase 'it seems clear' to convey flexibility on the issue, the Bush letter states unequivocally that the solution to the refugee problem 'will need to be' one in which Palestinian refugees do not return to territory deemed to fall within the State of Israel in any future peace accord. Even leaving aside discussions of 'justice' and 'fairness,' to the extent that it was negotiated without the input of the Palestinians and undercut their future bargaining position on the issue, this was certainly not an 'agreed' solution to the refugee problem.

³⁷ See the remarks of Colin Powell: US Department of State, "Remarks with High Representative Javier Solana of the European Union," Washington, DC: 20 April, 2004. Furthermore, see President Bush: US Department of State, "Bush, Blair Discuss Sharon Plan; Future of Iraq in Press Conference," The White House, Washington, DC: 16 April, 2004.

³⁸ US Department of State, "Bush, Blair Discuss Sharon Plan; Future of Iraq in Press Conference."

³⁹ Israel Ministry of Foreign Affairs, "Exchange of Letters between PM Sharon and President Bush."

⁴⁰ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 282.

⁴¹ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

Furthermore, Bush's letter also undermined the notion of a full return to the pre-1967 borders, as called for by UNSCR 242, by advocating the incorporation of the most established Israeli settlements in the West Bank into the future state of Israel:

In light of new realities on the ground, including already existing major Israeli populations centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949 [i.e. the 1967 borders], and all previous efforts to negotiate a two-state solution have reached the same conclusion. It is realistic to expect that any final status agreement will only be achieved on the basis of mutually agreed changes that reflect these realities.⁴²

While the Roadmap calls for a settlement based on UNSCR 242 and an end to the 'occupation that began in 1967,' and does not rule out territorial swaps agreed between Israelis and Palestinians,⁴³ Bush's assertion that it would be 'unrealistic' to expect a full return to the 1967 borders severely undermined the negotiating position of the Palestinians on this issue, essentially taking the largest Israeli settlements 'off the table.'⁴⁴ Furthermore, by arguing that the most well established Israeli settlements in the West Bank should be included in the state of Israel in any future peace accord *because* of their size and relative permanence, Bush's rationale encouraged further settlement construction in occupied territories. As Palestinian Spokesperson Ghassan Khatib argued, 'thirty-five years of illegal settlement expansion have now been recognized and legitimated by the president of the only remaining superpower in the world.'⁴⁵

The exchange of letters produced an immediate reaction in the Middle East,⁴⁶ with Jordan's King Abdullah cancelling his planned trip to Washington until further notice, leaving US Secretary of State Powell on the defensive.⁴⁷

⁴² Israel Ministry of Foreign Affairs, "Exchange of Letters between PM Sharon and President Bush."

⁴³ US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict."

⁴⁴ According to Rice's account, a US concession on Israeli settlements in the West Bank was deemed necessary by Sharon to sell the disengagement plan to his domestic constituency. Reportedly, 'Weissglass said that the prime minister needed to signal that those big population blocks, about 80,000 settlers in all, would be included in Israel when the Palestinian state was created.' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 280.

⁴⁵ Khatib, G., "Where is President Bush's Vision?," *Bitterlemons*, 26 April, 2004.

⁴⁶ Khatib argued that the exchange of letters: '...signaled to the Arabs that the United States is ready to offer an extraordinary level of support for Israel even when Israel's demands contradict international legality, and – most stunningly – that American Middle East policy gives no weight at all to American relations with the Arab world.' Ibid.

⁴⁷ Powell argued that: 'These are realities that previous negotiators had realized were there, and the president pointed them out. And that's what's gotten all of the attention. But they are realities nonetheless, whether they're getting a lot of attention or not. And any future negotiators would have had to deal with these same realities which the President made explicit.' See: US Department of State, "Secretary of State Colin Powell: Interview on APTV with Barry Schweid and George Gedda," Washington, DC: 19 April, 2004.

The letters also sparked immediate criticism from within the EU.⁴⁸ On 16 April 2004, an EU Foreign Ministers meeting in Tullamore, Ireland, reiterated that 'the refugee question and the manner in which the right of return may be realized is also a final status issue,' and called for an urgent meeting of the Quartet members.⁴⁹ According to EU Commissioner Chris Patten, the exchange of letters between Bush and Sharon caused 'an awful lot of damage' that the European Union would have to help repair.⁵⁰

On 18 April 2004, the Bush Administration sought to counter international criticism and to clarify its position on Israeli settlements through another letter, this time from Dov Weissglass to Condoleezza Rice. The letter contained commitments to define more precisely the construction line of settlements in the West Bank, to 'prepare a list of unauthorized outposts with indicative dates of their removal,' and to 'expedite the rendering' of decisions pending in Israeli courts regarding Israel's withholding of Palestinian tax revenues.⁵¹ Furthermore, the letter sought to 'assure' the United States that 'the Israeli government remains committed to the two-state solution,' including the Roadmap, that it supported Palestinian reform, that the proposed disengagement was consistent with the Roadmap, and that the West Bank barrier 'should not' prejudice any final status issues including final borders.⁵²

The following day, Powell attempted to return the issue of the Gaza disengagement to the foreground of the discussion, stating that:

I think while we are concerned about some of the language in the exchange of letters between the President and Prime Minister Sharon, what we really should be focusing on is the fact that Gaza is about to be made available to the Palestinians with the removal of all settlers, the removal of the IDF.⁵³

President Bush advanced this sentiment on 21 April 2004, when he stated publicly that the world owed Israeli Prime Minister Ariel Sharon a 'thank you' for pursuing his 'bold courageous step' of unilateral disengagement from Gaza.⁵⁴

⁴⁸ Muasher, *The Arab Center: The Promise of Moderation*, p. 206.

⁴⁹ "EU/Middle East: Ministers Discuss Israel's Gaza Strip Withdrawal Plan," *Europolitics*, 27 April, 2004.

⁵⁰ "EU Defuses Tension with US Over Mideast," *China Daily*, 17 April, 2004.

⁵¹ Israel Ministry of Foreign Affairs, "Letter from Dov Weissglas, Chief of the PM's Bureau, to National Security Adviser, Dr. Condoleezza Rice," Jerusalem: 18 April, 2004.

⁵² *Ibid.*

⁵³ US Department of State, "Secretary of State Colin Powell: Interview on APTV with Barry Schweid and George Gedda."

⁵⁴ "Bush Says World Owes Sharon a 'Thank You'," *Ha'aretz*, 21 April, 2004.

Amidst the unfolding controversy surrounding the exchange of letters, the Quartet members, especially Russia and the EU,⁵⁵ were pushing for a meeting of the grouping for the first time since 26 September 2003. On 20 April 2004, Powell met with European High Representative for Common Foreign and Security Policy (CFSP), Javier Solana, who emphasised that the final status issues could only be decided by the parties to the conflict, and that 'it's very important that the Quartet meets,' to 'analyse the situation and then give a push in that direction.'⁵⁶

The Quartet 'Re-engages'

On 4 May 2004, 220 days since their last meeting, the Quartet members assembled in New York City to discuss the unfolding situation. The statement produced during this meeting presented an alternative commentary on the core positions of the letters exchanged between Bush and Sharon.⁵⁷ On the issue of the West Bank barrier, the Quartet members challenged Israeli assurances:

We note the Government of Israel's pledge that the barrier is a security rather than political barrier and should be temporary rather than permanent. We continue to note with great concern the actual and proposed route of the barrier, particularly as it results in confiscation of Palestinian land, cuts off the movement of people and groups, and undermines Palestinians' trust in the roadmap process by appearing to prejudge the final borders of the future Palestinian state.⁵⁸

Furthermore, and directly in response to the recent controversy surrounding the final status issues, the Quartet members stated that:

We also note that no party should take unilateral actions that seek to predetermine issues that can only be resolved through negotiation and agreement between the two parties. Any final settlements on issues such as borders and refugees must be mutually agreed to by Israelis and Palestinians based on Security Council Resolutions 242, 338, 1397 and 1515; the terms of reference of the Madrid Peace Process, previous

⁵⁵ During the press conference following the 4 May 2004 Quartet meeting, Russian Foreign Minister Sergei Lavrov was asked whether Russia was the initiator of the meeting, to which he replied 'Yes, the Quartet members were interested in this meeting taking place as soon as possible, and so I would call it a collective initiative, but we did actively call for this type of meeting to take place.' See: US Department of State, "United Nations Quartet: Kofi Anna, Sergey Lavrov, Brian Cowen, Javier Solana, Chris Patten, and Colin L. Powell," New York: 4 May, 2004.

⁵⁶ US Department of State, "Remarks with High Representative Javier Solana of the European Union."

⁵⁷ Alongside recent developments, the continuing issue of Yasser Arafat was also part of the discussion. According to Annan's account, during this meeting Colin Powell attempted to convince the European representatives to join the US in their boycott of Arafat. EU Commissioner Chris Patten reportedly replied 'You give me settlements and I'll give you Arafat,' to which Powell noted, 'that's a very interesting offer.' See: Annan, *Interventions: A Life in War and Peace*, p. 251.

⁵⁸ US Department of State, "United Nations Quartet: Kofi Anna, Sergey Lavrov, Brian Cowen, Javier Solana, Chris Patten, and Colin L. Powell."

agreements; and the initiative of Saudi Crown Prince Abdullah endorsed by the Beirut Arab League Summit. It must also be consistent with the roadmap.⁵⁹

Finally, in the press conference following the meeting, Powell sought to repackage the Bush letter as a piece of political pragmatism, in which the President stated simply what had previously been considered an implicit reality:

Previous negotiations knew that these features would have to be taken into account, these realities would have to be taken into account, and any future negotiations would have to take them into account. And the President made it explicit.⁶⁰

Not only was the 4 May 2004 Quartet statement a strong response by the members to the exchange of letters between Bush and Sharon, but it also represented what Powell described later as a 're-engagement of the grouping.'⁶¹ Furthermore, the statement, and the re-engagement of the Quartet, also fitted within the Bush Administration's own 'rebalancing' efforts following the controversial letters.⁶² Indeed, when Jordan's King Abdullah met with Bush on 6 May 2004, after having previously postponed the visit in protest, the President was clearly seeking to clarify his views on the peace process and to mend relations with the Arab states. As Bush noted:

...all final status issues must be negotiated between the parties in accordance with U.N. Security Council Resolutions 242 and 338. And the United States will not prejudice the outcome of those negotiations. The road map is the best path to realizing the two-state vision. That is why the road map is the plan endorsed by the Palestinians, Israel, the United Nations, the European Union, Russia, the United States and many other nations.⁶³

According to Muasher, King Abdullah's intervention and Bush's assurances were designed to reverse the impression in the region that the United States 'had changed the terms of reference for the process, particularly on the two issues of refugees and borders.'⁶⁴ The consequence of Bush's clarification, therefore, was a renewed

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ On 15 May 2004 Powell noted that 'as a result of this change in the dynamic, and the re-engagement of the Quartet with a good Quartet statement out of New York last week, and a very good discussion with the G-8 ministers yesterday, we hope that we can get the process started again within the context of the Roadmap and with the help of the Quartet and other international organizations that wish to play a helpful role in the quest for peace.' See: US Department of State, "Remarks With Palestinian Authority Prime Minister Ahmed Qurei," Amman, Jordan: 15 May, 2004.

⁶² US Department of State, "Remarks with the King of Jordan," Washington, DC: 6 May, 2004.

⁶³ Ibid.

⁶⁴ US Department of State, "Press Conference with Jordanian Foreign Minister Marwan Muasher," Dead Sea, Jordan: 16 May, 2004.

impression that it was 'still up to the two parties to negotiate the two-state solution,' and that the United States would not 'prejudge the outcome of these negotiations.'⁶⁵

In Israel, Sharon's domestic political campaign to garner support for his disengagement plan, aided by Bush's letter to the Prime Minister, successfully concluded on 6 June 2004, when the Israeli cabinet approved the plan.⁶⁶ The publicly released text of the plan illustrated the fundamentals of Sharon's approach to the Gaza disengagement, and was predictive of the future issues that emerged in the post-disengagement landscape. Consistent with Sharon's Herzliya speech, the disengagement plan was positioned as a response to a leadership vacuum in the Palestinian territories:

The State of Israel has come to the conclusion that there is currently no reliable Palestinian partner with which it can make progress in a two-sided peace process. Accordingly, it has developed a plan of revised disengagement...⁶⁷

Ostensibly, the Gaza disengagement was a means to break the 'harmful' stalemate that existed in the peace process, which had 'required' the state of Israel to 'initiate moves not dependent on Palestinian cooperation.'⁶⁸ Thus, the disengagement plan stated that:

The State of Israel will evacuate the Gaza Strip, including all existing Israeli towns and villages, and will redeploy outside the Strip.⁶⁹

However, and importantly for the future of Gaza's Palestinian population, the plan stated that Israel would continue to 'guard and monitor the external land perimeter of the Gaza Strip,' 'maintain exclusive authority in Gaza air space,' 'exercise security activity in the sea off the coast of the Gaza Strip,' and continue to control 'the entry and exit of goods between the Gaza Strip, the West Bank, the State of Israel and abroad.'⁷⁰ Thus, while the Israeli military and civilian personnel would leave Gaza, Israeli control over the territory would remain absolute. Furthermore, in relation to Israeli settlements in the West Bank, while the disengagement plan stipulated that there would be 'no Israeli towns and villages in the Gaza Strip' in any future permanent status arrangement, it also stated that:

⁶⁵ Ibid.

⁶⁶ Israel Ministry of Foreign Affairs, "The Cabinet Resolution Regarding the Disengagement Plan."

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

On the other hand, it is clear that in the West Bank, there are areas which will be part of the State of Israel, including major Israeli population centers, cities, towns and villages, security areas and other places of special interest to Israel.⁷¹

Ultimately, through the disengagement plan, the Israeli government had proposed to withdraw from Gaza while simultaneously strengthening the Israeli presence in the West Bank.⁷²

The following month, the International Court of Justice, at the behest of the United Nations General Assembly, issued an advisory opinion that found Israel's construction of the barrier to be in contradiction of international law.⁷³ The opinion argued that the government of Israel was obligated to cease construction of the wall, dismantle the existing construction, and to pay damages to those who had been affected adversely by its erection.⁷⁴ The government of Israel had initially responded to the ICJ in January 2004 with a 246 page statement questioning the jurisdiction and propriety of the court in examining the matter of the barrier without also investigating the matter of Palestinian terrorism within Israel (i.e. the Israeli justification for the wall).⁷⁵ Similarly, after the ruling was released in July 2004 the government of Israel noted that construction of the barrier would continue, with Foreign Ministry representatives criticising the ICJ for failing to 'address the essence of the problem and the very reason for building the fence - Palestinian terror.'⁷⁶ The Israeli Finance Minister at the time, Benjamin Netanyahu, also condemned the ICJ ruling, stating that:

What's going to happen now is this is going to go to the UN General Assembly...They can decide anything there. They can say that the earth is flat. It won't make it legal, it won't make it true and it won't make it just.⁷⁷

The Stalled Peace Process

It was within this context that the Quartet members met on the sidelines of the annual UN General Assembly, and issued their ninth statement. Largely a reiteration of the 4

⁷¹ Ibid.

⁷² The Disengagement plan also reiterated the Sharon government's position on the continued construction of the West Bank barrier, stating that: 'The State of Israel will continue building the Security Fence, in accordance with the relevant decisions of the Government. The route will take into account humanitarian considerations.' Ibid.

⁷³ International Court of Justice, "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory," The Hague: 9 July, 2004.

⁷⁴ Ibid.

⁷⁵ See 'Written Statements' in: Ibid.

⁷⁶ Shamir, S., Benn, A., and Yoaz, Y., "Israel Firmly Rejects ICJ Fence Ruling," *Haaretz*, 11 July, 2004.

⁷⁷ Ibid.

May 2004 statement, the 23 September statement was notable only for its minor mention of the recent ICJ ruling.⁷⁸

The statement was issued within a complex regional and global environment. In the United States the Presidential election between George W. Bush and John Kerry was nearing its conclusion, leaving the non-US Quartet members unsure about the future direction of US policy in the Middle East. Adding to the uncertainty within the grouping was the fact that Powell had indicated that he would not remain in his role as Secretary of State if Bush was re-elected.⁷⁹ In the region, construction of the West Bank barrier continued, and implementation of the Roadmap essentially remained 'on hold' until after the completion of the Gaza disengagement (scheduled for August 2005.) Indeed, in October 2004 Weissglass remarked that the disengagement plan had acted as 'formaldehyde' for the peace process.⁸⁰ Expanding on his statement, Weissglass noted that:

The peace process is the establishment of a Palestinian state with all the security risks that entails. The peace process is the evacuation of settlements, it's the return of refugees, it's the partition of Jerusalem. And all that has now been frozen.... what I effectively agreed to with the Americans was that part of the settlements would not be dealt with at all, and the rest will not be dealt with until the Palestinians turn into Finns. That is the significance of what we did.⁸¹

On 2 November 2004, George W. Bush was re-elected as the President of the United States, and nine days later PLO Chairman Arafat died in a Paris hospital. Arafat's wish was to be buried in *al-Haram al-Sharif* in Jerusalem's Old City, but Sharon had declared before his death that 'Arafat won't be buried in Jerusalem as long as I'm Prime Minister.'⁸² The solution was for Arafat to be buried in the *Muqata* in soil from the *Haram*, with the hope that his remains would later be moved once Jerusalem became the capital of Palestine. In the aftermath of Arafat's death, Abbas assumed the role of

⁷⁸ The statement noted that: 'The Quartet urges positive action by the Government of Israel with respect to the route of the barrier and reiterates its view that no party should undertake unilateral actions that could prejudice issues that can only be resolved through negotiations and agreement between the parties.' US Department of State, "Statement by the Middle East Quartet," New York City: 23 September, 2004.

⁷⁹ In Bush's account of the period, he noted that 'Colin Powell made it easier for me. That same spring of 2004, he told me he was ready to move on. He had served three tough years and was naturally fatigued. He was also a sensitive man who had been wounded by the infighting and discouraged by the failure to find weapons of mass destruction in Iraq. I asked Colin to stay through the election, and I was grateful that he agreed. The early notification gave me plenty of time to think about a successor.' See: Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), p. 90.

⁸⁰ Neilan, T., "Israeli Causes Uproar Over Status of Road Map," *The New York Times*, 6 October, 2004.

⁸¹ Ibid.

⁸² Lazaroff, T., "Sharon: 'Arafat won't be buried in Jerusalem'," *Jerusalem Post*, 1 November, 2004.

PLO Chairman, and Rawhi Fattouh became the interim Palestinian Authority President pending an election in the Palestinian territories in January.

2004 ended with uncertainty regarding the future composition and disposition of the Palestinian leadership, international concern over the implementation of Israel's disengagement plan, and a second Bush Administration introducing a new Secretary of State. As UNSG Annan noted in his report to the Security Council:

...the situation in the Middle East is characterized by a stalled peace process and continuing high levels of violence.⁸³

2005: The Execution of the Gaza Disengagement

I had been authorised to create and implement an economic program. The moment I extended this mission, my head was cut off. I don't think President Bush was trying to undermine my efforts. But whatever he had in mind, Rice and Abrams did not view me as their partner. Rice and Abrams were the ones implementing Bush's policy. I was not useful, and I was going beyond my mandate. In the end, the Quartet was a necessary camouflage for U.S. initiatives.

- James Wolfensohn, Quartet envoy to the Gaza disengagement (2005-2006).⁸⁴

Leadership changes affected the Quartet in 2005, while the discourse of the Middle East peace process continued to be dominated by the upcoming Israeli disengagement from Gaza. Bush's re-election saw Powell replaced by Rice as US Secretary of State, reducing the dissonance between the White House and the State Department within the Quartet. Furthermore, a by-product of Rice's involvement was the creation of a Quartet 'envoy', adding another layer to the informal structure of the grouping. In the Palestinian territories, Arafat's death and his replacement by Abbas provided an opportunity for improved relations with the United States and Israel, and opened the door to the international donor community, but the institutional reform process also offered new avenues for political participation by Hamas.⁸⁵ In Israel, Sharon's governing coalition fractured in the post-disengagement period, leading to the formation of the Kadima party, which would eventually be led by Ehud Olmert after Sharon's

⁸³ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/59/574-S/2004/909: 29 November, 2004, p. 11.

⁸⁴ Wolfensohn, J., *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank* (Pan Macmillan Australia Pty. Limited, 2009), p. 438.

⁸⁵ An International Crisis Group report argued that Abbas' quick ascension to the Palestinian leadership 'concealed the crisis' within the PA in the aftermath of Arafat's death. Not only had Arafat created a bureaucracy based around his individual leadership, but Abbas was also 'consciously adopting a different approach.' See: International Crisis Group, "Enter Hamas: The Challenges of Political Integration," Crisis Group Middle East Report 49: 18 January, 2006, p. 3.

incapacitation. In the period leading up to the Israeli disengagement from Gaza, the members of the Quartet sought to influence both the execution and the aftermath of the initiative.

On 9 January 2005, Abbas was elected as Palestinian President with 62.3 percent of the vote, dedicating his victory to 'the soul of Yasser Arafat.'⁸⁶ While Sharon congratulated Abbas on his success, he emphasised that:

The Palestinians are still not fighting terrorism and Abu Mazen's statements during the election campaign were not encouraging, but he will be tested by his actions after the elections. He will be tested by the manner in which he fights terrorism and works to dismantle its infrastructures.⁸⁷

Sharon's focus on, and case against, Palestinian political violence was strengthened on 13 January 2005, when Palestinian militants launched an assault on the Karni crossing, north of Jerusalem, resulting in six Israeli deaths and three Palestinian deaths.⁸⁸

Subsequently, the Sharon cabinet froze contact between Israel and the Palestinian Authority, declaring that the new Palestinian leadership had not 'begun any action whatsoever to halt the terrorism,' and that:

The IDF and the security forces have been instructed to step up operational activity against terrorism and they will continue to do so, without restrictions, I emphasize, without restrictions, as long as the Palestinians are not lifting a finger.⁸⁹

Relations between the Israelis and Palestinians remained frozen until 26 January 2005, when representatives met for the first time since the Karni attack to discuss security cooperation and the potential for a meeting between Sharon and Abbas.⁹⁰ According to Israeli representatives, provisional contact with the Palestinians was resumed in light of 'positive developments in the Palestinian Authority and the effort to prevent terrorism.'⁹¹

⁸⁶ "Abbas Achieves Landslide Poll Win," *BBC News*, 10 January, 2005.

⁸⁷ Israel Ministry of Foreign Affairs, "PM Sharon Meets With US Senator Kerry," Jerusalem: 10 January, 2005.

⁸⁸ Israel Ministry of Foreign Affairs, "Terror Attack at Karni Crossing," Jerusalem: 13 January, 2005.

⁸⁹ Israel Ministry of Foreign Affairs, "Cabinet Communique," Jerusalem: 16 January, 2005.

⁹⁰ Dov Weissglass, Shalom Turgeman and Assaf Shariv attended for the Israeli side. Saeb Erekat, Hassan Abu Libdeh and Muhammad Dahlan attended for the Palestinian side. See: Israel Ministry of Foreign Affairs, "Meeting between Israeli and Palestinian representatives," Jerusalem: 26 January, 2005.

⁹¹ Prime Minister Sharon noted that: 'If the Palestinians take comprehensive action to stop the terrorism, violence and incitement, we will be able to move forward in contacts on implementing the Roadmap and it would even be possible to coordinate with them on various actions regarding the Disengagement Plan.' *Ibid.*

With relations warming between Abbas and Sharon, Rice travelled to the Middle East to speak with both leaders and to encourage a return to more formal contact between them. Importantly, during her first official travels as Secretary of State, Rice conveyed that she had the full support of her Quartet colleagues.⁹² Furthermore, when Rice and Abbas met on 7 February 2005, Abbas' views on the Quartet were illustrative of the US primacy within the grouping:

Of course, we look forward to an effective and essential American role in the peace process, especially considering that the US is the main member of the Quartet.⁹³

It was during Rice's visit that Sharon and Abbas announced their plans to meet, on 8 February 2005, at Sharm el-Sheikh to discuss security cooperation.⁹⁴ The Summit was hosted by Egyptian President Hosni Mubarak and also attended by Jordanian King Abdullah. During the one day event, Sharon and Abbas came to an agreement whereby security cooperation between the two sides would increase, including ceasefires on both sides, and Israel would release 500 Palestinian prisoners, establishing a joint committee to 'explore future releases.'⁹⁵

The London Donors Meeting

The death of Arafat and the election of Abbas re-energised the Palestinian institutional reform program, and increased security cooperation between Abbas and Sharon opened the door for improved international financial assistance to the Palestinian Authority. On 1 March 2005, representatives from 23 nations and six non-government organisations (including the World Bank) gathered in London to discuss funding in support of Palestinian institutional reform.⁹⁶ The 'meeting'⁹⁷ was convened by British Prime Minister Tony Blair, who, according to reports at time:

⁹² Rice stated that: 'I have just been in London and in Berlin. I will be in Europe after this, and I can assure you, Minister, that our European colleagues -- I also talked with Foreign Minister Lavrov of Russia -- that our European colleagues, the members of the Quartet, stand ready to do everything that we can.' US Department of State, "Remarks With Israeli Foreign Minister Silvan Shalom Before Meeting," Jerusalem: 6 February, 2005.

⁹³ US Department of State, "Remarks With Palestinian President Mahmoud Abbas After Their Meeting," Ramallah: 7 February, 2005.

⁹⁴ US Department of State, "Remarks With Israeli Prime Minister Ariel Sharon Before Meeting," Jerusalem: 6 February, 2005.

⁹⁵ Israel Ministry of Foreign Affairs, "Statement by PM Ariel Sharon at the Sharm el-Sheikh Summit " Sharm el-Sheikh: 8 February, 2005.

⁹⁶ Reynolds, P., "Meeting to Bolster Palestinian Leadership," *BBC News*, 28 February, 2005.

⁹⁷ According to the BBC, the term 'meeting' was used instead of 'conference' as a way to 'keep expectations low.' See: Ibid.

...originally wanted a full-blown peace Summit but the support of the US and Israel, which is not attending, were lacking.⁹⁸

The participants of the meeting, in a statement reportedly drafted by the members of the Quartet,⁹⁹ agreed to 'mobilise international assistance for the PA's efforts,' in light of the 'Palestinian Authority's sincere commitment to a viable plan to meet the benchmarks of good government.'¹⁰⁰

It was within this context that the members of the Quartet issued their eleventh official statement, on 1 March 2005. In similar fashion to the London text, the Quartet statement did not mention ongoing issues of contention within the MEPP such as settlement construction or the West Bank barrier, and largely focussed on Palestinian political and economic reform.¹⁰¹ The one notable exception was the Quartet members' discussion of the upcoming Israeli withdrawal from Gaza, and the particular emphases made in this statement were illustrative of the concerns within the grouping regarding Sharon's initiative. Specifically, these concerns were that the Gaza disengagement would act as a substitute for a political resolution to the Israeli-Palestinian conflict (sidelining the Roadmap in the process), and that the withdrawal from Gaza would permanently erode the territorial contiguity of the Palestinian territories – both through the isolation of Gaza and the solidification of Israeli settlements in the West Bank.¹⁰²

The 1 March 2005 Quartet statement reiterated that the withdrawal from Gaza should be 'full and complete' and should be undertaken in a 'manner consistent with the Roadmap.'¹⁰³ The statement also stressed that the:

Quartet members agree on the need to ensure that a new Palestinian state is truly viable, including with contiguous territory in the West Bank. A state of scattered territories will not work.¹⁰⁴

⁹⁸ "Blair Says Talks Laid Foundation for Palestinian State," *The Guardian*, 2 March, 2005.

⁹⁹ Ibid.

¹⁰⁰ United Nations Information System on the Question of Palestine, "Conclusions of The London Meeting On Supporting the Palestinian Authority," London: 2 March, 2005.

¹⁰¹ US Department of State, "Joint Statement by the Quartet," London, England: 1 March, 2005.

¹⁰² For an in-depth critique of the disengagement process see: de Soto, A., "End of Mission Report," *The Guardian*, 12 June, 2007.

For further examples of the use of the word 'contiguous' by US officials in statements pertaining to the Gaza disengagement, see: US Department of State, "Remarks With Israeli Prime Minister Ariel Sharon," Crawford, Texas: 11 April, 2005.

¹⁰³ United Nations Information System on the Question of Palestine, "Conclusions of The London Meeting On Supporting the Palestinian Authority."

¹⁰⁴ US Department of State, "Joint Statement by the Quartet."

Simultaneous to preparations for Israel's withdrawal from Gaza during this period, President Abbas sought to bolster his domestic political reform process by holding elections for the Palestinian Legislative Council in both Gaza and the West Bank.¹⁰⁵ Central to the legitimacy of this process was the integration of the various factions of the Palestinian polity into the democratic process, and on 17 March 2005, in Cairo, these parties reached an agreement.

The Cairo Declaration

The Cairo Declaration was the product of three days of discussions held between 13 Palestinian factions from 15-17 March 2005, and signed on 19 March.¹⁰⁶ The declaration had six components: First, that those gathered 'confirmed their adherence to Palestinian constants,' such as Palestinian resistance to occupation, the establishment of a Palestinian state with Jerusalem as its capital, and the right of return of Palestinian refugees; second, that the Palestinians factions would continue an 'atmosphere of calm' (i.e. a ceasefire) throughout 2005 in return for Israeli reciprocity; third, that the continued construction of Israeli settlements and the West Bank barrier were defined as 'explosive issues'; fourth, that the composition of the Palestinian Legislative Council reflect both constituent and proportional representation; fifth, that an executive committee would be formed to restructure the PLO to be more reflective of factional power bases; and finally, that all domestic inter-factional disputes be settled with dialogue, rather than through violent means.¹⁰⁷

In essence, the Cairo Declaration was an agreement between Palestinian factions to reduce violence both internally and externally, and to encourage a more pluralistic form of political representation within the Palestinian Legislative Council. According to former Quartet UN envoy Alvaro de Soto, Abbas' logic in 'co-opting' the Palestinian factions into the mainstream was that 'without them he could not hope to control violence against Israel and restart negotiations.'¹⁰⁸ Furthermore, according to Annan:

[Abbas] told us [the Quartet] he could not disarm Hamas forcibly; instead he wanted to approach the matter politically, with Hamas inside the Parliament, bound by the laws set by the majority, and confronted with the contradictions of its own position.¹⁰⁹

¹⁰⁵ United Nations Information System on the Question of Palestine, "Conclusions of The London Meeting On Supporting the Palestinian Authority."

¹⁰⁶ Usher, G., "The Calm Before the Storm?," *Al-Ahram*, Issue No. 735 (2005).

¹⁰⁷ Ibid.

¹⁰⁸ de Soto, A., "The Role of the United Nations in the Middle East," in *Italianieuropei*, 2 July 2009.

¹⁰⁹ Annan, *Interventions: A Life in War and Peace*, p. 291.

Through the agreement reached at Cairo, the Palestinian president was attempting to facilitate both the resumption of the political process with the Israelis and the de-militarisation and normalisation of his main domestic competitors.¹¹⁰ Notably, the Cairo Declaration did not require Palestinian militant organisations to disarm as a prerequisite for participation in the political process, but instead (albeit implicitly) aimed to achieve this goal through gradual normalisation.¹¹¹ For the Israelis, this was of paramount importance, and Sharon noted immediately that the Cairo Declaration could function as an 'arrangement for an interim period only,' ostensibly because:

...in order to move forward in the diplomatic process, the terrorist organizations will be unable to continue existing as armed organizations and certainly not as terrorist organizations.¹¹²

Furthermore, Abbas' strategy relied heavily on Fatah retaining control of the PLC in the upcoming elections, with the more militant factions effectively reduced to minor actors in a coalition style government. In order to increase the likelihood of this eventuality, Abbas delayed the PLC elections by six months to January 2006, when it was expected that improved conditions in the Palestinian territories stemming from the Israeli disengagement and an influx of international funding would benefit Fatah politically.¹¹³ In hindsight, these calculations were proven to have been mistaken. Hamas became more organised and popular over time, and Fatah emerged from the disengagement fractured and weakened.¹¹⁴

The Quartet Envoy to the Disengagement Process

The first 'Quartet envoy' was intended originally to be solely a US representative. In early April 2005, as James Wolfensohn prepared to vacate his position as President of the World Bank, he was contacted by Condoleezza Rice and offered the role of 'special envoy of the Quartet' responsible for 'leading, overseeing and coordinating the international community's efforts in support of the disengagement initiative.'¹¹⁵ Before

¹¹⁰ A senior Palestinian Authority official noted at the time that: 'We cannot crack down right away, but as our security forces are bolstered, and as Hamas subjects itself to our laws, we will be in a far better position to keep them in line and in check.' See: International Crisis Group, "Enter Hamas: The Challenges of Political Integration," p. 4.

¹¹¹ According to insider accounts, de-militarisation was a central sticking point between the factions, and Abbas was unable to forge an agreement on that issue. See: Ibid.

¹¹² Israel Ministry of Foreign Affairs, "Prime Minister Sharon Speaks With Egyptian President Mubarak," Jerusalem: 17 March, 2005.

¹¹³ International Crisis Group, "Enter Hamas: The Challenges of Political Integration."

¹¹⁴ Chapter Seven: *The Palestinian Divide* discusses these developments in-depth.

¹¹⁵ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 399.

this offer had been made, however, Rice contacted Annan to discuss the appointment of Wolfensohn as an exclusively American envoy to the disengagement process.

According to Annan, 'I leaped at the suggestion and urged that he be an envoy not of the US but of the Quartet as a whole.'¹¹⁶

The importance of distinguishing the source of Wolfensohn's authority as envoy was illustrative of the power imbalance within the Quartet. Essentially, had Wolfensohn acted as a US envoy but been responsible for overseeing the 'international community's efforts,' it would have made too explicit the US dominance within the grouping, diminishing the role of the other members in the process. According to de Soto, even after re-labelling Wolfensohn's position, this was unavoidable, as:

...his involvement had the effect of at least partially eclipsing and somewhat diminishing the role of the other envoys to the Quartet, since none of the Quartet members agreed to give up their own envoys.¹¹⁷

Despite the semantic issues surrounding his appointment, Wolfensohn's selection was based on his understanding of the region, and his experiences in the World Bank with developing economies.¹¹⁸ As Kurtzer noted:

As a former World Bank president, James Wolfensohn commanded the attention and respect of the parties, key international actors, congress, and the US government.¹¹⁹

Crucially, as Annan argued, Wolfensohn's list of global contacts also allowed him 'unrivalled reach into the pockets of donors.'¹²⁰ Thus, on 14 April 2005, US Secretary of State Rice announced the appointment of Wolfensohn as 'special envoy for Gaza disengagement,' declaring that he would focus his efforts on 'Palestinian-Israeli

¹¹⁶ Annan, *Interventions: A Life in War and Peace*, p. 290.

¹¹⁷ de Soto, "End of Mission Report," p. 6.

¹¹⁸ An alternative analysis was suggested to Wolfensohn by his colleague and friend Martin Indyk. In Wolfensohn's account of the conversation, he was told by Indyk that: 'I was being used by the United States and Israel, and behind my back, Bush and Elliott Abrams made fun of me. The access I was given to the White House and the encouragement and the apparently serious discussions I had with the president, the vice president, and their cabinet colleagues were all a show. I was never a serious player. This cynical view extended to my relations with Sharon. It was said that he had zero interest in a deal with the Palestinians and was open with discussions with me simply to show "progress", feeling that events on the ground – and the efforts of his Defense Minister Mofaz – would ensure that none of my ideas would be implemented.' In an interview with the author, Indyk confirmed this account of the conversation, and reiterated his view that Wolfensohn was 'wallpaper' for a cynical Bush Administration. Irrespectively, Wolfensohn concluded that 'Perhaps this view of my role is correct, and because it was given to me by a friend with an inside view, I recount it for the record. But at the time, I was convinced that I was making a real contribution to the process of peace.' See: Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 407.

¹¹⁹ Kurtzer, D. and Lasensky, S., *Negotiating Arab-Israeli Peace: American Leadership in the Middle East* (Washington, DC: United States Institute of Peace Press, 2007), p. 63.

¹²⁰ Annan, *Interventions: A Life in War and Peace*, p. 290.

coordination concerning the non-military aspects of the withdrawal, including the disposition of the assets that will be left behind,' and 'the revival of the Palestinian economy in the wake of the withdrawal.'¹²¹ After meeting briefly with Bush,¹²² Wolfensohn started to assemble his team, with a budget covered by the members of the Quartet.¹²³ He negotiated with Rice to limit his assignment to seven months (ending in December 2005), so that 'if the mission was not working, this allowed either of us to call it off without the appearance of a problem.'¹²⁴

'Re-energising' the Roadmap

In April 2005, US officials began to characterise the upcoming Israeli disengagement from Gaza as a means to 're-energise' the Roadmap process.¹²⁵ In essence, this was an attempt to re-conceptualise the disengagement process as a way to *accelerate* progress within the political sphere, rather than as a way to sidestep it. Consequently, the 9 May 2005 Quartet statement noted that:

The Quartet strongly reiterated its commitment to the two-state solution, and to Israeli withdrawal as a way to re-energize the Roadmap.¹²⁶

The statement also commented once again on the need for a 'contiguous' and 'viable' Palestinian state, noting that 'a state of scattered territories' would not work, and emphasising that no party 'should take unilateral actions that prejudge final status

¹²¹ US Department of State, "Remarks on the Appointment of James Wolfensohn as Special Envoy for Gaza Disengagement," Washington, DC: 14 April, 2005.

¹²² According to Wolfensohn's account of his meeting with the President 'He [Bush] went on to say that I would have his total support at all times, and might well need it to bring the Israelis along. "If they do not agree with you, tell them they will lose the support of George Bush," he said. "Mr. President, if I'm going to tell them that, I will tell you first," I replied. "If you have time," he shot back.' See: Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 406.

¹²³ Wolfensohn's team was comprised of representatives from each of the four Quartet powers, including US ambassador Bill Taylor, Christian Berger from the European commission, Lynn Hastings from the United Nations, and Nikolai Makarov from the Russian Armed Forces (later replaced by his colleague Leonid Barkovsky). The team also included Nicholas Krafft from the World Bank, Alexei Monsarrat from the US State Department, Stefano Mocci from the World Bank, and Katiana Orluc from the EC. See: *Ibid.*, p. 414.

¹²⁴ *Ibid.*, p. 406.

¹²⁵ In a meeting with Ariel Sharon on 11 April 2005 President Bush stated that 'the Prime Minister and I share a desire to see the disengagement from Gaza and part of the West Bank serve to re-energize progress along the road map.' In similar fashion, Sharon noted that the disengagement plan had the 'potential' of 'paving the way toward the road map,' but was careful to note that this could only occur 'after the Palestinians fulfil their obligations, primarily a real fight against terrorism and the dismantling of its infrastructure.' See: US Department of State, "Remarks With Israeli Prime Minister Ariel Sharon."

¹²⁶ Sidestepping the issue of the Israeli reservations to the Roadmap, the statement also noted that 'the Roadmap has been endorsed by Israel and the Palestinian Authority and remains the objective of the international community,' and urged 'both parties to take steps to fulfill all their obligations under the Roadmap.' US Department of State, "Quartet Statement," Moscow, Russia: 9 May, 2005.

issues.¹²⁷ As a Quartet representative noted in the press conference following this statement, the two central challenges for the members of the grouping at this time were to ensure the success of both the withdrawal from Gaza and the upcoming Palestinian Legislative Council elections,¹²⁸ which were deemed to be 'another vital step forward on the path towards building a reformed and accountable Palestinian Authority.'¹²⁹

It should be noted that ensuring 'success' in such complex and unpredictable circumstances meant overcoming significant obstacles. For the disengagement process, the central concern of both the international community and the Palestinians was ensuring that the Israeli withdrawal from Gaza did not lead to both a *de facto* colonisation of the West Bank, and an indefinite freeze on the political process.¹³⁰ As Abbas stated in a meeting with Bush on 26 May 2005:

We see this evacuation as a part of ending the occupation, and it should not be at the expense of the West Bank.¹³¹

These concerns were proven later to be prescient,¹³² and Bush's response to Abbas at the time could be interpreted as an attempt to both reassure the Palestinian leader and to send a signal to the Israeli Prime Minister:

Any final status agreement must be reached between the two parties, and changes to the 1949 Armistice lines [i.e. 1967 borders] must be mutually agreed to. A viable two-state solution must ensure contiguity of the West Bank, and a state of scattered territories will not work. There must also be meaningful linkages between the West Bank and Gaza. This is the position of the United States today, it will be the position of the United States at the time of final status negotiations.¹³³

The looming obstacle in the Palestinian elections was the participation of Hamas, which brought to a head two competing international demands of the Palestinians: that they

¹²⁷ While this was not the first time this particular wording had been used, it was especially relevant in light of Sharon's recent declaration that 'It is the Israeli position that the major Israeli population centers will remain in Israel's hands under any future final status agreement with all related consequences.' See: US Department of State, "Remarks With Israeli Prime Minister Ariel Sharon."

¹²⁸ US Department of State, "Remarks With Russian Foreign Minister Sergey Lavrov, United Nations Secretary General Kofi Annan, and European Union President Jean Asselborn After Their Quartet Meeting " Moscow, Russia: 9 May, 2005.

¹²⁹ US Department of State, "Quartet Statement."

¹³⁰ As Annan recounted, the diplomatic mantra at the time of the disengagement was 'Gaza first, not Gaza last.' See: Annan, *Interventions: A Life in War and Peace*, p.289.

¹³¹ US Department of State, "President Bush Meets With Palestinian President Abbas," Washington, DC: 26 May, 2005.

¹³² In 2006, the year following the Gaza disengagement, the Israeli settler population in the West Bank grew by 3,000 more people than the total number of settlers that had evacuated Gaza. See: United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006, p. 5.

¹³³ US Department of State, "President Bush Meets With Palestinian President Abbas."

reform their democratic institutions through free elections, and that they combat terrorism and political violence. The conflicting nature of these demands was summarised by Bush, when he stated that:

Our position on Hamas is very clear, it's a well-known position and it hasn't changed about Hamas: Hamas is a terrorist group, it's on a terrorist list for a reason. As the elections go forward, of course, we want everybody to participate in the vote. There is something healthy about people campaigning, saying, this is what I'm for...[but] I don't think they're going to get elected, because I think Palestinian moms want their children to grow up in peace just like American moms want their children to grow up in peace. As a matter of fact, I think the people that campaign for peace will win.¹³⁴

Bush's position walked the fine line between supporting democratic principles in the Palestinian territories and maintaining his strong stance against so-called terrorist organisations, both of which were fundamental to US foreign policy in the Middle East at that time. Importantly, however, these two positions could only be maintained in the event that Hamas was unsuccessful in the upcoming PLC elections. As the Israeli disengagement and the Palestinian elections approached, the international community, including the Quartet members, remained apprehensive but largely powerless to dictate the outcomes of either process. Consequently, the twelfth Quartet statement, on 23 June 2005, was simply a reiteration of the central tenets of the previous two statements.¹³⁵ Indeed, it was in 2005 that the Quartet members began employing a form of rhetorical shorthand in their statements, often simply repeating or referencing previous statements.¹³⁶

The Israeli Disengagement from Gaza

Uncertainty as to Israeli Prime Minister Ariel Sharon's intentions has been fuelled by his hawkish past and contradictory statements. He has sought to convince the international community that evacuating Gaza was the first in a series of moves, while indicating to members of his right-wing constituency that it was the last of them.

- Aaron David Miller and Robert Malley, former US State Department Officials.¹³⁷

While the preparations for the Israeli disengagement from Gaza had been taking place since December 2003, the disengagement proper did not begin officially until 15 August

¹³⁴ Ibid.

¹³⁵ US Department of State, "Quartet Statement on Middle East Peace," London, UK: 23 June, 2005.

¹³⁶ This practice was especially prevalent in the period following the release of the Quartet's so-called 'principles' for the inclusion of Hamas into the political mainstream. See: US Department of State, "Quartet Statement on the Agreement to Form a Palestinian National Unity Government," Washington, DC: 9 February, 2007.

¹³⁷ Miller, A. D. and Malley, R., "The Road After Gaza," *The Washington Post*, 24 August, 2005.

2005.¹³⁸ The withdrawal included the removal of approximately 8000 Israeli civilians from 21 settlements in the Gaza Strip,¹³⁹ with all civilians evacuated by 22 August and all military personnel evacuated by 12 September 2005.¹⁴⁰ Importantly, the IDF was redeployed outside of the Gaza Strip, along 'security lines' deemed to provide the best 'security to the Israeli civilians living in the region and throughout Israel.'¹⁴¹ By 20 September, all military and civilian personnel had also been evacuated from the four northern West Bank settlements included in the disengagement plan.¹⁴² Overall, despite token resistance from some Israeli settlers,¹⁴³ the operational aspect of the disengagement from Gaza was considered to have been efficient and professional.¹⁴⁴ According to de Soto, the smoothness of the process was explained by three factors:

...first because of Sharon's larger than life stature in Israeli politics — essentially he said what he was going to do and asked the people to trust him — second by the smoothness of the Israel Defence Forces' operation on the ground, and third by effective coordination between Israel and the Palestinians and the restraint of Palestinian militant groups.¹⁴⁵

More important than the execution of the evacuation, however, would be the nature of the commercial, military and civilian interactions between the parties *after* the disengagement had been completed. Indeed, negotiations between the Israelis and Palestinians on these matters had been in progress since April 2005, and it was within this context that the Quartet members, through Wolfensohn, attempted to shape the post-disengagement landscape. According to Wolfensohn, while he remained uncertain whether he had the full support of Rice:

¹³⁸ Israel Ministry of Foreign Affairs, "Prime Minister Ariel Sharon Addresses the Nation on the Day of the Implementation of the Disengagement Plan," Jerusalem: 15 August, 2005.

¹³⁹ Israel Ministry of Foreign Affairs, "Evacuation of Civilians from the Gaza Strip Completed," Jerusalem: 22 August, 2005.

¹⁴⁰ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/60/539-S/2005/701: 7 November, 2005.

¹⁴¹ Israel Ministry of Foreign Affairs, "Evacuation of Civilians from the Gaza Strip Completed."

¹⁴² The towns of Ganim, Kadim, Sa-Nur and Homesh had been included into the disengagement plan after the intervention of American officials. These settlements contained roughly 1300 Israeli settlers, and IDF personnel faced strong resistance and protests when carrying out the evacuation. See: Israel Ministry of Foreign Affairs, "Evacuation of Northern West Bank," Jerusalem: 23 August, 2005.

¹⁴³ Israel Ministry of Foreign Affairs, "Evacuation of Civilians from the Gaza Strip Completed."

¹⁴⁴ One notable exception to the success of the evacuation operation was the widely televised destruction of abandoned synagogues by Palestinian extremists. As Annan argued, the Palestinian Authority had expected the IDF to destroy the places of worship during the withdrawal, and was consequently 'not in a position to protect them' afterward. See: United Nations Security Council, "Report of the Secretary General on the Question of Palestine."

¹⁴⁵ de Soto, "End of Mission Report," p. 7.

I was encouraged by my colleagues in the UN, the European Union, and Russia. The fact was that I was their only hope to be participants in the process that historically had been run almost entirely by the United States.¹⁴⁶

Wolfensohn's official remit¹⁴⁷ was to coordinate between Israel and the Palestinians on the non-military aspects of the pullout, specifically 'the disposition of assets left behind by the Israeli settlers, and the revival of the Palestinian economy.'¹⁴⁸ After forming his team and meeting with representatives from both sides, Wolfensohn established a six-point agenda for the disengagement, and a three point agenda for reviving the Palestinian economy.¹⁴⁹ More pressing of the two was his disengagement agenda, in which Wolfensohn argued that any agreement between the two sides needed to accomplish several goals. The first was to ensure access for goods and personnel from Gaza into Israel, the West Bank, and abroad. It also needed to ease restrictions on the movement of goods and personnel within the West Bank, move forward on the construction of a Palestinian port and an airport in Gaza, and finalise the strategy for dealing with evacuated settler housing.¹⁵⁰ Finally, the agreement needed to facilitate the transfer of the Israeli greenhouses that had underpinned the settler economy to the Palestinians.¹⁵¹

The last point was of paramount importance to Wolfensohn, as the greenhouses, comprising 100 acres of land and including packing sheds and storage facilities, accounted for around \$100 million in produce per year.¹⁵² The sticking point in negotiations over the issue was the need to pay compensation to Israeli settlers vacating the greenhouses, which, the Palestinians argued (if sourced from international bodies) would legitimise and reward the settlement enterprise.¹⁵³ Demonstrating his personal

¹⁴⁶ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 407.

¹⁴⁷ The remit itself was a single page document that formed the basis for the statement in which Wolfensohn's position was announced on 14 April 2005. See: US Department of State, "Remarks on the Appointment of James Wolfensohn as Special Envoy for Gaza Disengagement."

¹⁴⁸ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 406.

¹⁴⁹ In order to revive the floundering Palestinian economy, Wolfensohn argued that the Palestinian Authority must: include a 'fiscal stabilisation plan' in its 2006 budget, create a 'general development plan' for 2006-2008, and design 'quick-impact economic programs that would respond to pressures for short-term employment generation.' United Nations Security Council, "Report of the Secretary General on the Question of Palestine," p. 10.

¹⁵⁰ According to Wolfensohn, it was agreed between the Israelis and Palestinians that the housing should be demolished, rather than passed on to new occupants. See: Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 418.

¹⁵¹ Ibid., p. 415.

¹⁵² Ibid.

¹⁵³ Ibid., p. 418.

commitment to the issue and deep connections with the international donor community, Wolfensohn was able to raise \$14.5 million in a matter of days from private sources, including his own savings.¹⁵⁴ Securing ownership of the greenhouse infrastructure for the Palestinians, however, did not ensure that they would be able to export the produce grown in them. Thus, in the lead up to, and in the aftermath of, the Israeli disengagement, negotiations over movement and access dominated the agenda of the Quartet envoy and his team.¹⁵⁵

These negotiations were given greater urgency when, on 28 August 2005, two suicide bombers from Al-Aqsa Martyrs Brigade and Palestinian Islamic Jihad launched an attack on Beersheba bus station, injuring 21 civilians.¹⁵⁶ As Wolfensohn recounted, the Palestinian violence immediately following the Israeli disengagement led to 'total or at least partial closure of the crossings, with even more dramatic consequences for the Gazan population than we had anticipated.'¹⁵⁷ As the process threatened to unravel, Wolfensohn pushed for an understanding on how the main border passages between Israel and the Palestinian Authority would operate.¹⁵⁸

The Agreement on Movement and Access (AMA)

By November 2005, Wolfensohn was convinced that elections in Israel and the Palestinian territories would soon sidetrack the process, and sought to utilise a planned visit to the region by Rice as a means to finalise the negotiations.¹⁵⁹ Rice arrived in Israel on 13 November 2005 to attend a commemoration of assassinated Israeli leader Yitzhak Rabin the following day. According to Wolfensohn, Israeli, Palestinian and Quartet officials had arranged to meet with Rice before the ceremony on 14 November,

¹⁵⁴ At the time of the donations, the largest contributor (\$10 million) to Wolfensohn's fundraising remained anonymous, but was later revealed by other sources to be the Bill and Melinda Gates Foundation. Ibid.

¹⁵⁵ The effect of Wolfensohn's focus on movement and access, according to de Soto, was that he 'contributed greatly to highlighting the notion first put forward by the World Bank that the Israeli closure system was the determining factor in the decline of the Palestinian economy.' de Soto, "End of Mission Report," p. 9.

¹⁵⁶ Meddings, S., "Officials: Suicide Bomber Injures 21 in Israel," *CNN*, 29 August, 2005.

¹⁵⁷ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 424.

¹⁵⁸ According to Wolfensohn, the key Israeli officials involved in the negotiations were Prime Minister Sharon, Dov Weissglass, the Defense Minister, Shaul Mofaz, and Shimon Peres. On the Palestinian side was President Abbas, Prime Minister Ahmed Qurei, Finance Minister Salam Fayyad and Minister of Civil Affairs, Mohammad Dahlan. See: Ibid., p. 409.

¹⁵⁹ As Wolfensohn recounted, 'Secretary Rice's impending visit offered a major opportunity for agreements to be brokered before the Israeli election season would take its toll.' See: Ibid., p. 424.

in an attempt to finalise the agreement that they had been negotiating for months.¹⁶⁰ On that morning, Wolfensohn recounted:

My distinguished and very able friend Javier Solana, the European Union's high representative, and I both expected to be part of the talks as we were part of the Quartet structure. But neither he nor I had heard anything about the arrangements from the Israeli side or from the Americans. Finally, I heard from my Palestinian friends that a negotiation between Palestinian and Israeli teams and Secretary Rice was under way at the King David Citadel hotel. I was dumbstruck. I had spent seven months working tirelessly to put a deal together, and neither I nor the Europeans were being included in the meeting to negotiate this deal.¹⁶¹

Wolfensohn chose not to intervene at that time, and when the parties were unable to finalise the deal before their afternoon deadline, more negotiations were scheduled for the evening of 14 November to conclude the agreement (again without Wolfensohn or Solana). According to Wolfensohn, when he went to the King David hotel that evening seeking an explanation:

...through an open door, I saw my Palestinian friends in a smoke filled room. They were on their own. The Israelis and Americans were negotiating in another meeting room. The Palestinian team immediately invited me into the room. I saw that Dahlan was ready to leave and the whole team was exhausted and angry...¹⁶²

At that time, the separate negotiation between the Israelis and Americans was being led by US official Elliott Abrams, who Wolfensohn asked to speak to in private, reportedly saying:

Look Elliott, I think you are a son of a bitch. I have made ten trips over here and negotiated this deal for seven months. My team has been working on the agreement day and night. I suggested that Secretary Rice come visit, and she came for the Rabin event. You have been negotiating all day. No one has had the courtesy to tell me one word about what is going on in there... So I just want you to know before I resign why I'm resigning and what I think about your behaviour.¹⁶³

According to Wolfensohn, when Rice learned of his encounter with Abrams, she sought to assure him that he was, indeed, a 'trusted advisor,' to which he replied:

I'm seventy-two years old. I have been negotiating at a reasonably high level for forty years. I know when I am in, and I know when I am out, so please don't tell me that I am in. Don't tell me that I'm a trusted advisor.¹⁶⁴

¹⁶⁰ Ibid., p. 425.

¹⁶¹ Ibid.

¹⁶² Ibid., p. 427.

¹⁶³ Ibid.

¹⁶⁴ Ibid., p. 428.

In Wolfensohn's account, Rice chose not to argue the point, and remarked that she and he should just 'get on with it', after which they both negotiated with the parties until the early morning, when they finally secured an agreement.¹⁶⁵ Crucially, this agreement differed from the original text negotiated by Wolfensohn's team in the lead up to November by shifting responsibility for the implementation process away from the Quartet members and onto the US. According to Wolfensohn, 'all that was left for the Quartet team to do was to publish, every two weeks, a report taking stock of the implementation of the agreements.'¹⁶⁶

According to Annan, this episode demonstrated 'the unhealthy possessiveness that Washington has over the Arab-Israeli peace process, and its reluctance to share it meaningfully with others – even those working toward the same ends.'¹⁶⁷ This sentiment was echoed in Wolfensohn's final analysis, which noted that:

Rice and Abrams were trying to make it clear that intervention in peace negotiations was not part of my job description. I was working on behalf of the Quartet for economic development, not as part of an American peace initiative, and the Quartet was not seen as a player – it was only the United States that counted.¹⁶⁸

In Rice's account of the negotiations surrounding the AMA period, no mention is made of Wolfensohn's role in the lead up to 15 November 2005, or of his involvement in the overnight talks that ended in success.¹⁶⁹ According to Rice's account, Solana and Wolfensohn's role was simply to facilitate international support for the agreement:

Javier Solana, the European Union's high representative for foreign affairs (essentially its Foreign Minister), and Jim Wolfensohn were in Jerusalem, and I asked them to come over and join me for the press conference. Making the agreement stick would require a lot of international support. They needed to share in this rare moment of achievement.¹⁷⁰

It should be noted that without a properly established mechanism for enforcing the commitments made by the parties in the AMA, the central tenets of the agreement were more likely to be ignored or contravened by the parties to the conflict.

Notwithstanding this, the text of the agreement reached on 15 November 2005 covered

¹⁶⁵ Reportedly, Rice still reserved the right to negotiate with the Israelis in private as they neared an agreement, which Wolfensohn did not dispute. See: Ibid.

¹⁶⁶ Ibid., p. 429.

¹⁶⁷ Annan, *Interventions: A Life in War and Peace*, p. 290.

¹⁶⁸ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 429.

¹⁶⁹ See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, pp. 408-10.

¹⁷⁰ Ibid., p. 409.

general principles of movement and access into and out of Gaza, and specific conditions governing the Rafah crossing.¹⁷¹

The agreement stated that Israel would open the crossing points out of Gaza 'continuously,' facilitating the 'speedy exit' of Palestinian agricultural produce 'so that quality and freshness can be maintained.'¹⁷² It was also agreed that a transport channel between Gaza and the West Bank would be opened, establishing bus convoys by 15 December 2005, and truck convoys by 15 January 2006.¹⁷³ Furthermore, under the AMA, the system of Israeli roadblocks and checkpoints in the West Bank was to be reviewed, and a plan developed 'to reduce them to the maximum extent possible' by 31 December 2005.¹⁷⁴ The AMA also approved the commencement of two important infrastructural projects in the Gaza Strip, the construction of a seaport and the construction of an airport. With the projects expected to take years to complete, the parties agreed to continue to develop 'security and other relevant arrangements' under a US-led committee in the meantime.¹⁷⁵

Finally, the AMA outlined the functioning of the Rafah crossing, which was to be jointly operated by the Egyptians and the Palestinian Authority, while being monitored by the European Union.¹⁷⁶ Notably, the arrangement at the Rafah crossing allowed monitoring by Israeli officials through CCTV, but did not allow them to intervene or prevent individuals or cargo from entering or exiting.¹⁷⁷ As Palestinian official Saeb Erekat noted at the time of the agreement, 'this is the first time in history we will run an international passage by ourselves, and it's the first time Israel does not have a veto over our ability to do so.'¹⁷⁸

The situation at Rafah was complicated by the fact that European monitors were not permitted by Israeli officials to be billeted in either Egypt or Gaza, and the crossing was not permitted to operate without EU officials present.¹⁷⁹ Thus, the Rafah crossing was frequently closed for extended periods of time when European officials were prevented

¹⁷¹ Israel Ministry of Foreign Affairs, "Agreed documents on Movement and Access From and to Gaza," Jerusalem: 15 November, 2005.

¹⁷² Ibid.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Wright, R. and Wilson, S., "Rice Negotiates Deal to Open Gaza Crossings," *The Washington Post*, 16 November, 2005.

¹⁷⁸ Ibid.

¹⁷⁹ de Soto, "End of Mission Report," p. 9.

by Israeli border officials from leaving Israel in response to alleged security concerns.¹⁸⁰ Similarly, closures and delays on security grounds at the Karni crossing between Gaza and Israel resulted in the operational output falling well short of the levels agreed in the AMA,¹⁸¹ which had a devastating effect on the economy in Gaza.¹⁸²

Indeed, the reports issued by Wolfensohn as part of his role as Quartet envoy document the steady decline in numbers passing through Israeli checkpoints, the demise of the Palestinian seaport and airport projects, and the non-existence of the corridor between Gaza and the West Bank.¹⁸³ Wolfensohn eventually cited the failures of the AMA implementation process as the primary reason for his decision to resign from the position of Quartet envoy in 2006.¹⁸⁴ For the Palestinians, the post-disengagement reality in Gaza was akin to 'an open air prison controlled directly by Israel on all borders.'¹⁸⁵ According to de Soto, 'the only thing that has really changed is that there are no settlers and no more Israeli boots on the ground — at least not based there.'¹⁸⁶

Furthermore, Ghassan Khatib, the Palestinian planning minister at the time of the disengagement, argued that the lack of economic progress in the Gaza Strip following the Israeli withdrawal was playing into the hands of the 'only alternative to the Palestinian Authority,' Hamas.¹⁸⁷ Indeed, the contest for control of the Palestinian authority between Fatah and Hamas occurred simultaneously to the disengagement process in 2005. The way in which the members of the Quartet responded to these developments greatly impacted the future of the peace process.

The Quartet Members Outline Approach to Hamas

In the midst of the Israeli disengagement from Gaza, an important event occurred within the Quartet that would significantly shape the future output and impacts of the grouping. In September 2005, on the fringes of the UN General Assembly, the Quartet members

¹⁸⁰ Ibid.

¹⁸¹ As part of the AMA, Israel agreed to allow approximately 150 trucks through the crossing per day. In September 2005, 406 truckloads total were allowed through Karni, and by October 2005 the number had dropped to 182. See: Wright and Wilson, "Rice Negotiates Deal to Open Gaza Crossings."

¹⁸² According to Wolfensohn, by January 2006 the Palestinian agricultural industry was estimated to be losing \$120,000 a day because of the closures. See: Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 430.

¹⁸³ Office of the Special Envoy for Disengagement, "Fourth Report on the Implementation of the Agreement on Movement and Access," Jerusalem: 10 January, 2006.

¹⁸⁴ This period will be discussed in the subsequent chapter. See: Wolfensohn, J., "A Global Life," The 7.30 Report with Kerry O'Brien, ABC, Sydney, 28 October 2010.

¹⁸⁵ de Soto, "End of Mission Report," p. 10.

¹⁸⁶ Ibid.

¹⁸⁷ Wright and Wilson, "Rice Negotiates Deal to Open Gaza Crossings."

began to formulate their approach to the January 2006 PLC elections. Specifically, the members negotiated a common position that discouraged the participation of armed groups in the elections (i.e. Hamas), but also offered implicit support for Abbas' co-option strategy.¹⁸⁸ In essence, the Quartet members were attempting to be officially against the inclusion of an armed Hamas, but unofficially encouraging of attempts to soften them through democratic participation.¹⁸⁹ According to de Soto, it was decided among the members that the text of the Quartet statement would be used to achieve the former, and the press conference following the statement would be used to achieve the latter.¹⁹⁰

Consequently, while the 20 September 2005 Quartet statement also commented on the ongoing issues within the Middle East peace process,¹⁹¹ the most important section focused on armed groups and the political process:

Ultimately, those who want to be part of the political process should not engage in armed group or militia activities, for there is a fundamental contradiction between such activities and the building of a democratic State.¹⁹²

Thus, the official Quartet position was that Hamas should either disarm, or not participate in the PLC elections. In the press conference following the statement, however, Rice added an important, and pre-formulated, caveat:

We understand that this is a transition, and I think everybody understands this transitional process. This is going to be a Palestinian process, and I think we have to give the Palestinians some room for the evolution of their political process.¹⁹³

In effect, this was a tacit approval of Abbas' co-option strategy, allowing for the inclusion of armed groups in the democratic process to be viewed as a 'stage' in the Palestinian evolution toward democracy, despite the 'fundamental contradiction' between the possession of militias and electoral participation. It is important to note, however, that the Quartet's official response to Hamas was the more strongly held view

¹⁸⁸ de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

¹⁸⁹ According to de Soto, the members of the Quartet consulted with President Abbas via teleconference about their dual approach, who gave his approval. de Soto, "End of Mission Report," p. 16.

¹⁹⁰ de Soto. Interview with the author, New York City, October, 2011.

¹⁹¹ The statement urged the 'easing of the system of movement restrictions' in the West Bank, called for a revived focus on the Roadmap, and stressed the importance of Palestinian territorial contiguity. See: US Department of State, "Quartet Statement on the Middle East Peace Process," New York City: 20 September, 2005.

¹⁹² Ibid.

¹⁹³ United Nations Department of Public Information, "Transcript of Press Conference on Middle East, By Secretary-General Kofi Annan, Quartet Foreign Ministers, at United Nations Headquarters," New York City: 20 September, 2005.

among the members. According to Rice, the Quartet members had originally agreed to insist on disarmament as a prerequisite to political participation, but had been dissuaded from doing so by Abbas:

I'd asked David [Welch] and Elliott [Abrams] to call Abbas just to let him know what we were about to say. He demurred, saying that such a statement would be seen as an effort to exclude Hamas. Only the participation of all Palestinians would make the election legitimate, he argued. So everyone was on the same page: the elections should proceed, and Hamas should participate. But failure is an orphan, and when the results were announced, the finger-pointing began.¹⁹⁴

The inclusion of Hamas was also endorsed by Bush. According to Indyk's account of the period, as the elections loomed and Hamas appeared likely to secure a major proportion of the seats, Abbas considered delaying the election further.¹⁹⁵ Sharon was supportive of the measure, and offered to ban Hamas candidates from running in East Jerusalem in order to allow Abbas to justify an additional delay, provided that he was not criticised subsequently by the US President.¹⁹⁶ According to Indyk, Bush was against the plan, and argued that Hamas should be given the opportunity to participate:

According to two of the senior American officials who discussed the issue with Bush, the president believed that it would be good for Hamas to participate in the elections because it would make them accountable to the people.¹⁹⁷

Despite the Quartet support for Abbas' strategy regarding Hamas, in November 2005 the Israeli Prime Minister remained against the participation of the group, stating that while he supported Abbas' democratisation efforts he would 'not help Hamas.'¹⁹⁸

Crucially, Sharon also stressed that:

Hamas's participation could lead to the end of the Roadmap, if there is a situation in which an armed terrorist organization is a political partner in the Palestinian administration.¹⁹⁹

For Sharon, fundamental opposition to Hamas was a core political platform that was reinforced constantly by acts of political violence.²⁰⁰ Importantly, this period also saw

¹⁹⁴ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 415.

¹⁹⁵ Indyk, M., *Innocent Abroad: An Intimate Account of American Peace Diplomacy in the Middle East* (New York: Simon & Schuster, 2009), p. 382.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Israel Ministry of Foreign Affairs, "PM Sharon meets with US Secy of State Condoleezza Rice," Jerusalem: 14 November, 2005.

¹⁹⁹ Ibid.

²⁰⁰ On 28 October 2005 a suicide bomber killed five and wounded 55 in a market place in Hadera. On 5 December 2005 another suicide attack killed five and wounded 40 in Netanya. Both events were condemned by Quartet statements at the time. See: US Department of State, "Quartet Statement on the

the Israeli Prime Minister break with the Likud party in order to form his own political movement, calling elections for early 2006.²⁰¹ The Kadima ('forward') party aimed to unite the centrist factions of the Israeli political spectrum on a dual platform of political progress with the Palestinians and domestic reforms.²⁰² According to Indyk, Sharon's move was akin to a 'political earthquake,' and he argued that the Israeli leader was seeking to 'create a large center bloc that would give him the basis for making some political decisions vis-a-vis the Palestinians.'²⁰³ Indeed, in the aftermath of the move, Sharon was able to recruit key Labour leaders such as Shimon Peres and Haim Ramon, as well as bringing along Likud's Ehud Olmert and Tzipi Livni.

However, the electoral prospects of the Kadima party took a hit on 18 December 2005 when Ariel Sharon suffered a 'mild stroke' and was hospitalised.²⁰⁴ Not only did Sharon's health issues cast doubt on his ability to lead the party to the next election, but the drama surrounding his defection and hospitalisation contributed to the further de-prioritisation of issues surrounding movement and access into and out of Gaza.²⁰⁵

As elections in both Israel and the Palestinian territories neared, the Quartet members met on 28 December 2005, and issued a statement that amended their previously ambiguous position on Hamas. The statement called for 'all participants [in the PLC elections] to renounce violence, recognize Israel's right to exist, and disarm.'²⁰⁶ Furthermore, the Quartet members demanded that such steps should be codified in Palestinian law.²⁰⁷

The modification of the Quartet position was likely in response to a series of local election victories for Hamas that had occurred in October, September, and December

Middle East," New York City: 28 October, 2005. And: US Department of State, "Quartet Statement on Middle East Peace."

²⁰¹ Reportedly, the decision reflected the level of internal dissent among the Likud members regarding the disengagement from Gaza, including notable cabinet resignations. See: Medding, S., "Sharon Shakes Up Israeli Politics," *CNN*, 22 November, 2005.

²⁰² Israel Ministry of Foreign Affairs, "Prime Minister Sharon Announces New Party and Calls for Elections," Jerusalem: 21 November, 2005.

²⁰³ Medding, "Sharon Shakes Up Israeli Politics."

²⁰⁴ Myre, G., "A Mild Stroke Sends Sharon to the Hospital," *The New York Times*, 19 December, 2005.

²⁰⁵ Wolfensohn, "A Global Life."

²⁰⁶ US Department of State, "Quartet Statement on Palestinian Legislative Council Elections," Washington, DC: 28 December, 2005.

²⁰⁷ The Quartet members noted that: 'The Palestinian Authority should take additional steps to ensure the democratic process remains untainted by violence, by prohibiting political parties from pursuing their aims through violent means, and by moving expeditiously to codify this as Palestinian law. In particular, the Quartet expressed its view that a future Palestinian Authority Cabinet should include no member who has not committed to the principles of Israel's right to exist in peace and security and an unequivocal end to violence and terrorism.' Ibid.

2005, establishing the strong prospects of a Hamas victory in the January 2006 PLC elections.²⁰⁸ Importantly, the 28 December 2005 Quartet statement presaged the coming 'Quartet conditions' that would be announced following the Hamas victory, and would define the work of the Quartet throughout the following years. The ramifications of the Quartet approach to Hamas are the focus of the next chapter.

²⁰⁸ International Crisis Group, "Enter Hamas: The Challenges of Political Integration," p. 8.

Chapter Seven: The Palestinian Divide, 2006-2007

Until 25 January 2006 Hamas had been a target for co-optation and inclusion, to be lured into the system so as to become a partner for peace. On that date, having won, they were relegated to what they had been before: a target in the Global War on Terror.

- Alvaro de Soto, United Nations envoy to the Quartet (2005-2007).¹

Few issues in UN Middle East diplomacy caused more controversy than my participation in 2006 in a Quartet position that effectively isolated the newly elected Hamas-led Palestinian Authority government.

- Kofi Annan, United Nations Secretary General (1997-2006).²

Introduction

The Quartet's response to the Hamas election victory had far reaching consequences that came to define the work of the grouping. The so-called 'Quartet conditions', issued on 30 January 2006 in reaction to the Palestinian Legislative Council (PLC) election results, shaped the international response to the Hamas-led government, and were a contributing factor to the Palestinian fiscal crisis that followed. After advocating Palestinian political and institutional reform, the members of the Quartet chose to exert immediate normative and financial pressure on the democratically elected Hamas government in the post election period, undermining President Abbas' co-option strategy in the process. The ramifications of this decision shaped the outputs of the Quartet from 2006 onwards.

This chapter seeks to answer the question, *what were the outputs of the Quartet in 2006 and 2007?*

It argues that the Quartet response to the Hamas election victory was the catalyst for several overlapping and interrelated developments within the Middle East peace process that continue to resonate. The Quartet members were unable to prevent the Hamas election victory without compromising their support for both Palestinian democratic reform and President Abbas' co-option strategy. In the immediate aftermath of the PLC elections, the relationship between the Hamas-controlled Palestinian Authority and the international donor community was severed. Leading this isolation strategy were the members of the Quartet, with the United States acting as the driving force within the grouping.

¹ de Soto, A., "The Role of the United Nations in the Middle East," in *Italianieuropei*, 2 July 2009, p. 14.

² Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 290.

During this period, the members of the Quartet discouraged inter-Palestinian reconciliation attempts in favour of efforts to unseat Hamas from power through diplomatic and economic sanctions. This strategy saw the intensification of the domestic political divide between Fatah and Hamas, which led ultimately to an all-out conflict in Gaza, and years of unsuccessful attempts to forge a unity agreement between the factions. Specifically, the 2007 breakdown of the Palestinian National Unity Government (NUG) resulted in the dichotomisation of the Palestinian government and territory along factional lines. While this facilitated the re-establishment of international ties to President Abbas' West Bank administration, championed by the members of the Quartet, the Hamas-controlled Gaza Strip faced increasing isolation and a humanitarian crisis.

Ironically, the quarantine of the Hamas government allowed for the restoration and acceleration of Israeli-Palestinian negotiations. While the catalyst for this process was the productive working relationship between Israeli Prime Minister Olmert and President Abbas, US Secretary of State Rice sought to spearhead the international efforts to bolster President Abbas' West Bank government, and to offer financial and technical support to the state-building project led by Salam Fayyad. During this period, the non-US members of the Quartet operated in a largely supportive capacity, endorsing the efforts of Rice, Olmert and Abbas, and legitimising the Annapolis process.

This chapter is divided into two chronological sections that explore the outputs of the Quartet members within the context of the Middle East peace process in 2006 and 2007. The 2006 section examines the key causal factors of the Hamas election victory, and the politics and consequences of the Quartet response. The 2007 section examines the role played by the Quartet members, in particular the United States, in the breakdown of the Palestinian NUG, and the subsequent efforts to fast track Israeli-Palestinian negotiations.

2006: The Hamas Election Victory

He was, in a bizarre sense (bizarre because it appears counterintuitive), a true idealist. I remember at the time of the Palestinian elections in January 2006 when many people thought they should be postponed, George [Bush] was all for them going ahead. He didn't ignore or fail to comprehend the advice that this might give a Hamas victory; he simply said: 'If that's what people think, let's find it out.'

- Tony Blair, British Prime Minister (1997-2007).³

...We had to accept the outcome of the election: it had been free and fair, even if we didn't like the victor. But it was one thing to acknowledge that Hamas had won and quite another to accept its program. We had a choice: as long as the terrorist organisation refused to renounce violence and accept the agreements that the PLO under Arafat had made with Israel, we did not have to give it international legitimacy or foreign assistance.

- Condoleezza Rice, United States Secretary of State (2005-2009).⁴

January 2006 was characterised by political uncertainty in both Israel and the Palestinian territories. On 3 January, Ariel Sharon gave an interview in which he noted that he felt 'well' and reiterated his belief that Jerusalem should 'forever be the undivided capital of Israel.'⁵ The following day, Sharon suffered a massive stroke, and fell into a coma.⁶ While Ehud Olmert was sworn in as acting Israeli Prime Minister on 5 January, scheduling elections for March 2006, he remained hopeful that Sharon might recover and return to the Kadima leadership.⁷ The imminent Palestinian Legislative Council elections added to the uncertainty in the region, as a string of local election victories demonstrated the likelihood of a strong showing by Hamas in January.

While the members of the Quartet still expected Hamas to fall short of victory, they met on 13 January 2006 to discuss their potential responses to such an eventuality.⁸

According to de Soto's account of the meeting, he proposed a 'common but differentiated' approach to dealing with Hamas. In essence, de Soto argued that the flexibility of Russia and the United Nations regarding contact with members of Hamas could counterbalance the legislatively constrained US and EU, and could be utilised by

³ Blair, T., *A Journey: My Political Life*, 1st ed. (New York: Alfred A. Knopf, 2010), p. 507.

⁴ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 418.

⁵ Israel Ministry of Foreign Affairs, "Interview by Prime Minister Sharon to Nikkei," Jerusalem: 3 January, 2006.

⁶ Sharon remained comatose until his death, on 11 January 2014.

⁷ Israel Ministry of Foreign Affairs, "Acting PM Olmert's Remarks at the Start of Special Cabinet Meeting," Jerusalem: 5 January, 2006.

⁸ US Department of State, "Remarks en Route London, United Kingdom," En Route to London, UK: 29 January, 2006.

the Quartet as a channel for diplomacy in the election aftermath.⁹ Despite the United States being 'not entirely averse to the approach,' de Soto concluded that Washington had clearly decided who the 'bad guys' were, and his proposal gained no traction.¹⁰

The Palestinian Legislative Council Elections

On 25 January 2006, Palestinian Legislative Council elections were held in the West Bank and the Gaza Strip in a manner that was deemed to be 'free and fair' by international observers.¹¹ On 26 January 2006, as the votes continued to be counted, the Quartet members issued a statement congratulating the Palestinian people on the success of the election, but reiterating that:

A two-state solution to the conflict requires all participants in the democratic process to renounce violence and terror, accept Israel's right to exist, and disarm, as outlined in the Roadmap.¹²

Through this statement, the Quartet members had outlined the nature of their likely response to a Hamas-led PLC. The language used mirrored that of 28 December 2005 with the inclusion of a reference to the 'Roadmap,'¹³ and the statement continued to develop the trend of *conditionality* being presented by the Quartet members.¹⁴ Later that evening, the PLC election results were announced. Hamas had won 74 of the 132 seats in the Legislative Council, allowing them to form a majority government, with Fatah winning only 45.¹⁵

This result was a reflection of several interrelated causal factors. Chief among these factors, as mentioned previously, was that electoral support for Fatah had been in decline for years, and was generally linked to both the lack of progress on the Israeli-

⁹ de Soto, A., "End of Mission Report," *The Guardian*, 12 June, 2007, p. 17.

¹⁰ Ibid.

¹¹ The European Parliament appointed a team of observers to monitor the situation on the ground both in the months leading to the election and on polling day. See: European Union External Action Service, "EU Parliament - M.E.P.s Oversee Historic Palestinian Election," Brussels, Belgium: 30 January, 2006.

¹² US Department of State, "Quartet Statement on Palestinian Legislative Council Elections," Washington, DC: 26 January, 2006.

¹³ It should be noted that the sections of the Roadmap concerning the renunciation of violence and recognition of Israel were framed within the context of Israeli-Palestinian negotiations during the second *intifada*, and were primarily in reference to the need for reforms within the PA security apparatuses under Yasser Arafat. Their application in this context, especially when the Roadmap also strongly encouraged Palestinian elections and urged an end to Israeli settlement construction, was problematic at best.

¹⁴ This trend reached its apex in the 30 January 2006 Quartet statement, when the members linked the notion of future funding for the Palestinian Authority to the disarmament and reform of Hamas.

¹⁵ Erlanger, S., "Hamas Routes Ruling Faction, Casting Pall on Peace Process," *The New York Times*, 27 January, 2006.

Palestinian front and to the popular perception of the group as corrupt and inefficient.¹⁶ Fatah officials compounded this issue by running multiple candidates in many electorates, which splintered the secular vote and diluted the remaining support for the party.¹⁷

The popular dissatisfaction with Fatah was harnessed expertly by Hamas candidates, who adopted a highly consultative, disciplined and energetic campaign style, and ran on a 'change and reform' platform, rather than on an 'anti-Israel' platform.¹⁸ Essentially, Hamas turned the PLC election into a referendum on the legacy of Fatah, which allowed them to capitalise on the perceived arrogance and corruption of the latter, and to present the entrenchment of the Israeli occupation and the stalemate in the peace process as evidence of Fatah's failure to protect the interests of the Palestinian people. Critical to this narrative was Hamas' success in rebranding the Israeli disengagement from Gaza as a product of 'four years of resistance,' rather than 'ten years of negotiations.'¹⁹

Ironically, the level of sophistication present in the Hamas campaign was a by-product of both the delayed timing of the PLC election, and the staggering of the local elections, both of which had been designed by Fatah officials as a means to stave off a Hamas election victory. According to an International Crisis Group (ICG) report issued after the PLC elections, between mid-2005 and early 2006 Hamas had honed its political operation to the point where it was regarded as 'the most professional, disciplined and calculating electoral team in the Palestinian territories.'²⁰ Furthermore, in addition to its anti-Fatah campaign, Hamas candidates also ran on a platform of moral purity and freedom from corruption, highlighting the charitable work carried out by the organisation through its network of orphanages, clinics and schools.²¹ This message was strengthened by the virtual monopoly that Hamas had on campaigning in mosques.²² Thus, while Fatah had splintered the secular vote, Hamas had an uncontested hold on the Islamic vote.

¹⁶ Khatib, G., "The Collapse of the Peace Process and the Rise of Hamas " *Durham University: School of Government and International Affairs Working Paper Series* (December, 2007).

¹⁷ International Crisis Group, "Enter Hamas: The Challenges of Political Integration," Crisis Group Middle East Report 49: 18 January, 2006, p. 9.

¹⁸ For an in-depth analysis of the dynamics of the 2006 PLC elections, including the strategies adopted by both Fatah and Hamas within this context, see: Schwarze, E., "Public Opinion, Polling and the Conduct of Palestinian Political Leadership" (Doctoral Thesis, Australian National University: Centre for Arab and Islamic Studies, 2011).

¹⁹ International Crisis Group, "Enter Hamas: The Challenges of Political Integration," p. 7.

²⁰ *Ibid.*, p. 8.

²¹ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 417.

²² International Crisis Group, "Enter Hamas: The Challenges of Political Integration," p. 8.

Despite all of these factors, the final result defied exit polling conducted on Election Day,²³ and reportedly came as a surprise to key US figures involved in the peace process. As Rice remarked after the announcement:

I don't know anyone who wasn't caught off guard by Hamas's strong showing...Some say that Hamas itself was caught off guard by its strong showing.²⁴

As Rice admitted, this oversight did 'say something about us perhaps not having had a good enough pulse on the Palestinian population, as opposed to elites in Ramallah and the like.'²⁵ However, Rice's surprise in this instance was itself surprising, as the potential for an anti-Fatah backlash resulting in a Hamas victory was clearly understood by the international community in the months leading up to the elections. As the previous chapter demonstrated, since mid-2005 there were numerous indications that popular support was shifting from Fatah to Hamas, and the members of the Quartet had signalled through their evolving positions on the matter that they considered a Hamas victory to be possible. Indeed, in the lead up to the elections, US officials had sought to persuade Abbas to either further delay the polling day, or to force disarmament onto Hamas, both of which reflected concerns that a Hamas victory was possible, if not likely.²⁶ In the election aftermath, the discourse turned immediately toward the 'failure' of US officials, and of Abbas, to avert the electoral success of Hamas,²⁷ but several factors made further delays or disarmament unfeasible at that time.

Firstly, Abbas was both politically and practically constrained. According to a US official, Bush had appealed to Abbas in October 2005 to disarm Hamas before the elections, but Abbas had said that he 'wouldn't do it' because he 'couldn't do it'.²⁸ As the ICG observed, not only was this type of security crackdown beyond Abbas' security force's capabilities, but it was also politically untenable at the time:

There is also a growing realisation that Hamas is a reality to be reckoned with, and Abu Mazen [Abbas] is not about to try to forcibly disarm it. This is all the more patent given the lack of progress on the diplomatic front: no Palestinian leader can be expected to crack down on fellow Palestinians when there is no peace process, let

²³ Erlanger, "Hamas Routes Ruling Faction, Casting Pall on Peace Process."

²⁴ Weissman, S., "Rice Admits US Underestimated Hamas Strength," *The New York Times*, 30 January, 2006.

²⁵ US Department of State, "Remarks en Route London, United Kingdom."

²⁶ Rose, D., "The Gaza Bombshell," *Vanity Fair*, April, 2008.

²⁷ US Department of State, "Remarks en Route London, United Kingdom."

²⁸ Weissman, "Rice Admits US Underestimated Hamas Strength."

alone when Israeli restrictions and settlement activity – especially around Jerusalem – are increasing.²⁹

Secondly, with Abbas' options limited and with an agreement already reached between Fatah and Hamas on electoral participation,³⁰ the United States was unwilling to impose disarmament preconditions on the Palestinians. Arguably, any such move would have been viewed as an attempt to thwart democracy, and could have jeopardised the ceasefire.³¹ Furthermore, any politically costly delays were not guaranteed to produce an electoral difference. As Rice remarked after the election:

I just don't understand the argument that it somehow would have gotten better the longer it went on. What became clear, I think, from this is that you had a lot of pent-up frustration, a lot of pent-up anger, and I don't think that was going to dissipate in four or five or six months. And so you ask yourself, "Are you going to then support a policy of denying the Palestinians elections that had been promised to them at a certain point in time because people were fearful of the outcome?" And I just don't think you can support democracy and then say, well, we have to do this because of the outcome.³²

Finally, even if US officials had decided that the political cost of forcing delays on the Palestinians was worthwhile, Bush was not in favour of any such delays. Indeed, according to Palestinian official Mohammad Dahlan, after warning his colleagues in the Bush Administration that Fatah was likely to be defeated by Hamas, he had discovered that 'everyone [within the Administration] was against the elections,' except Bush.³³ As Dahlan recounted:

Bush decided, 'I need an election. I want elections in the Palestinian Authority.' Everyone is following him in the American administration, and everyone is nagging Abbas, telling him, 'The president wants elections.' Fine. For what purpose?³⁴

While some criticised Bush after the election for this position,³⁵ Abbas' constraints regarding the enactment of further delays or disarmament had clearly reduced the options for US policy within this context.

²⁹ International Crisis Group, "Enter Hamas: The Challenges of Political Integration," p. 10.

³⁰ As discussed in the previous chapter, the 19 March 2005 'Cairo Declaration' was the centerpiece of President Abbas' co-option strategy, whereby Hamas was granted access to the electoral process in exchange for reducing inter-factional violence. By including Hamas in the process without forcing them to disarm, Abbas had hoped to 'normalise' the group through legislative constraints in the election aftermath, in which it was expected that Fatah would prevail.

³¹ International Crisis Group, "Enter Hamas: The Challenges of Political Integration," p. 30.

³² US Department of State, "Remarks en Route London, United Kingdom."

³³ Rose, "The Gaza Bombshell."

³⁴ Ibid.

³⁵ Indyk noted at the time that there was 'a lot of blame to go around', referring to the failings of Fatah, but 'on the American side, the conceptual failure that contributed to disaster was the President's belief

Thus, while members of the international community, in particular the United States, had sought to prevent the Hamas election victory, for a number of domestic and international factors this goal had proven to be politically and practically unattainable at the time. The members of the Quartet had proposed and promoted an agenda of Palestinian political reform that had rested upon the holding of PLC elections, and after Abbas had adopted the strategy of co-option to draw Hamas into this process the eventual outcome became almost unavoidable.

The Hamas election victory was a watershed moment for the Israeli-Palestinian relationship, for the evolution of Palestinian democracy, and for the relationship between the Palestinian Authority and the international community. As the following sections demonstrate, in all three of these areas, the period following the PLC elections was characterised by regression.

The 30 January 2006 Quartet Meeting

I was used to divisions in the Quartet, but never before had the divisions been so stark. The US and the EU were the major donors to the Palestinian authority and viewed Hamas as a terrorist group. Russia and the UN did not have these restrictions, and the UN had an overall humanitarian responsibility for the welfare of the Palestinians. We tried to secure Quartet agreement on a "common but differentiated" approach – those without restrictions could be the agents for dealing with Hamas as necessary, while those with restrictions could apply pressure. Rice would have none of it.

- Kofi Annan, United Nations Secretary General (1997-2006),
on the 30 January 2006 Quartet meeting.³⁶

While the statement produced by the Quartet members during the 30 January 2006 meeting largely came to define the legacy of the grouping within the peace process, the internal politics of the meeting itself exemplified the difficulties that the members faced in formulating common positions in times of crisis. The Hamas election victory was a multifaceted predicament for the Quartet members. The key challenge, especially for the European Union and the United States, was how to reconcile the two seemingly incompatible goals of combating terrorism and political violence globally, and continuing to provide financial assistance to a Palestinian Authority led by Hamas. As de Soto argued, the failure of the Bush Administration to distinguish sufficiently between Hamas and al-Qaeda within this context led to a missed opportunity for a more nuanced approach to the post election reality in the Palestinian territories:

that democracy and elections solve everything.' See: Weissman, "Rice Admits US Underestimated Hamas Strength."

³⁶ Annan, *Interventions: A Life in War and Peace*, p. 292.

The US saw the dilemma through the prism of the Global War on Terror which blurred the crucial difference between the feral, nihilist, pre-Westphalians of al-Qaeda and Hamas, which is a grievance-based organization with a strong popular base. Given the choice between fighting uncompromisingly with a group on its list of terrorist organizations, no matter its nature or the enormous differences that separated it from the 9/11 attackers, on the one hand, and promoting democratization and negotiations with a broadly-based Palestinian interlocutor, on the other, the latter was summarily jettisoned.³⁷

Viewed through this prism, fundamental change was required in either the nature of international assistance to Palestinian institutions, or to the governing principles of Hamas as a political actor.³⁸ As de Soto argued, this was a 'malleable moment' in the history of the Middle East peace process, but the question of how best to address these challenges sharply divided the Quartet members on 30 January 2006.³⁹

Wolfensohn stated that Hamas officials indicated immediately after the PLC elections that they wanted to establish a dialogue with the Quartet members.⁴⁰ While he argued in favour of such a move at the 30 January meeting, he later acknowledged that the proposal 'never received even momentary consideration' from the US representatives to the Quartet.⁴¹ Indeed, the US position on Hamas at this time was unwavering, and even before the Quartet members arrived in London to meet and discuss the situation, on 30 January 2006, a strongly- worded US draft of the Quartet statement had already been circulated.⁴²

Rice noted that the argument put forward by the United States at that time was simple: 'you can't fund terrorists.'⁴³ However, in order to be effective, this position required support from the EU (which provided more direct aid to the Palestinians than the United

³⁷ de Soto, "The Role of the United Nations in the Middle East."

³⁸ Rice summarised the US viewpoint en route to the Quartet meeting in London: '...the United States is not prepared to fund an organization that advocates the destruction of Israel, that advocates violence and that refuses its obligations under the roadmap to which everyone is committed. We do understand that the Palestinian people may have some humanitarian needs and I think we will have to look at that on a kind of case-by-case basis in terms of humanitarian needs, but we are going to review all of our assistance programs, the bedrock principle here is we can't have funding for an organization that holds those views just because it is in government.' See: US Department of State, "Remarks en Route London, United Kingdom."

³⁹ de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

⁴⁰ Wolfensohn, J., *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank* (Pan Macmillan Australia Pty. Limited, 2009), p. 434.

⁴¹ Ibid.

⁴² This draft called for the cessation of economic assistance to the Hamas-led PA should the group refuse to disarm completely, recognise Israel and adhere to all previous agreements signed by the PLO, including the Roadmap. According to de Soto, and as this section will discuss, the key difference between the US draft and the eventual statement was the sharpness and directness of the language, which de Soto claims credit for softening. See: de Soto, "End of Mission Report," p. 18.

⁴³ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 419.

States), and benefited from both the appearance of multilateralism and the sense of international legitimacy conveyed by a unanimous Quartet position on the matter. Essentially, in seeking to isolate Hamas, the United States did not prefer, either politically or practically, to go it alone. Thus, the US representatives to the Quartet applied strong pressure to the other members during the 30 January meeting to forge a common position that supported their own. The main sources of opposition to the US position during this meeting came from the UN and Russian representatives respectively.

According to de Soto, the meeting of envoys that preceded the 30 January principals' meeting was 'agonising'.⁴⁴ As the representative for the UNSG, the only non-donor member of the Quartet, the issue of denying Hamas funding was extremely problematic for de Soto. Indeed, in this meeting he again argued for a 'common but differentiated approach' to dealing with Hamas, suggesting that 'either the reference to the review of assistance should be deleted altogether or the decision should be taken only by the donor members of the Quartet'.⁴⁵ The alternative formation proposed by de Soto at that time was for the Quartet members to encourage the moderate factions within Hamas, which had argued for the ceasefire and for participation in the political process, by tailoring international support for the PA in a way that promoted further movement toward normalisation.⁴⁶ Reportedly, this approach was met with a 'heavy barrage' from US representatives David Welch and Elliott Abrams, including:

...ominous innuendo to the effect that if the Secretary-General didn't encourage a review of projects of UN agencies and programmes it could have repercussions when UN budget deliberations took place on Capitol Hill.⁴⁷

While the impasse was eventually overcome by amendments to the precise wording of the statement,⁴⁸ the rift between the United States and the office of the UNSG during this meeting was illustrative of the unbalanced nature of power within the Quartet. Indeed, as Annan argued subsequently, had he chosen to maintain his contact with

⁴⁴ de Soto. Interview with the author, New York City, October, 2011.

⁴⁵ de Soto, "End of Mission Report," p. 18.

⁴⁶ de Soto argued to his colleagues at the time that: 'We need to work with these people. We need to continue bringing them in. For God's sake, don't slam the door in their noses.' de Soto. Interview with the author, New York City, October, 2011.

⁴⁷ de Soto, "End of Mission Report," p. 18.

⁴⁸ Rather than calling directly for an end to assistance to the Hamas-led PA, the final version of the Quartet statement only 'concluded' that a review of such assistance would be 'inevitable.' de Soto argues that without his intervention, the wording of the statement would have been much more severe. de Soto. Interview with the author, New York City, October, 2011.

members of Hamas after the PLC election, there would have been serious repercussions for his continued role within the peace process:

A high-level political dialogue with a Hamas government at that time would have shut the UN out with many constituencies. Israel would almost certainly have refused to see my envoy, and the United States warned us in no uncertain terms of where it stood.⁴⁹

Exacerbating the inherently weak bargaining position of the UN within the Quartet was de Soto's isolation during the envoys' meeting, where he was reportedly 'weakened by the willingness expressed by both my EU and Russian colleague, at the outset, to accept the language proposed by the United States.'⁵⁰ In Rice's account, however, at the principals' level meeting the Russian representative to the Quartet, Sergei Lavrov, was much less willing to compromise Russia's ongoing relationship with Hamas.⁵¹ Reportedly, the argument between Rice and Lavrov was 'vociferous,' and, ultimately, agreement was only reached between the two when the issue of isolating Hamas was re-framed to include Israel's likely response:

[Lavrov] understood that the Israelis would sit on the sidelines and refuse to negotiate if they were forced to accept Hamas as a part of the Palestinian political landscape. The isolation of Hamas was a bitter pill for Moscow but a sacrifice worth making to keep the peace process alive.⁵²

The fact that the Quartet members reached agreement on common language for their 30 January 2006 statement was testament to the steadfastness and persuasiveness of the United States on this issue, and the relative weakness of the other dissenting parties.⁵³ However, as argued previously, the United States lacked the authority to force any other member to adopt a position within the Quartet with which they disagreed, and ultimately each member was responsible for approving the final position. The language

⁴⁹ Annan, *Interventions: A Life in War and Peace*, p. 294.

⁵⁰ de Soto, "End of Mission Report," p. 19.

⁵¹ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 419.

⁵² Ibid.

⁵³ The exact nature of ongoing contact between Russian representatives and members Hamas remained ambiguous at the time of the 30 January Quartet statement. As EEAS official Christian Jouret explained, 'Russian diplomats meet with Hamas on a regular basis...but they don't meet 'Hamas', they meet people *belonging* to Hamas. They don't deal with Hamas, but they have a lot of contact with people working for Hamas. It's an ambiguous situation.' Jouret, C., Middle East Advisor, European External Action Service (EEAS), interview with the author, Brussels, November, 2011.

As the subsequent sections demonstrate, Russian officials gradually became more vocal about their ongoing diplomatic ties with Hamas, even urging the other Quartet members to consider lifting their diplomatic embargo. See: US Department of State, "Press Availability with UN Secretary-General Ban Ki-moon; Russian FM Sergei Lavrov; European High Representative Javier Solana; German FM Frank-Walter Steinmeier; EU Commissioner Benita Ferrero-Waldner," Washington, DC: 2 February, 2007.

of the statement itself, considered by Rice to be a 'direct shot at Hamas,' is the subject of the next section.⁵⁴

The Quartet Reaction to the Hamas Election Victory

[The 30 January statement] effectively transformed the Quartet from a negotiation-promoting foursome guided by a common document (the Road Map) into a body that was all-but imposing sanctions on a freely elected government of a people under occupation as well as setting unattainable preconditions for dialogue.

- Alvaro de Soto, United Nations envoy to the Quartet (2005-2007).⁵⁵

The image of both the EU and the UN has suffered substantially among Palestinians as a result of the Quartet's apparent support for economic isolation, under the direction of the United States...In these circumstances both bodies should seriously consider whether it is in the best interests of peace and human rights in the region for them to seek to find a peaceful solution through the medium of the Quartet.

- John Dugard, United Nations Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory (2001-2009).⁵⁶

Through the 30 January 2006 statement, the Quartet members imposed three conditions on the newly elected Palestinian government, and outlined a short window in which these conditions needed to be met. The cumulative effect of these demands was antithetical to Hamas, and the fiscal crisis in the Palestinian territories that followed can be traced back to the uncompromising position taken in January. Furthermore, the Quartet position undermined Abbas' normalisation strategy, and facilitated the creation of an isolated and politically unaccountable 'pariah' government in the Palestinian territories. For the United States, at least, the isolation strategy was intended to remove Hamas from power.⁵⁷

⁵⁴ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 419.

⁵⁵ de Soto, "End of Mission Report," p. 19.

⁵⁶ United Nations Department of Public Information, "UN Rights Expert Paints Dire Picture of Situation in Occupied Palestinian Territory," UN News Centre: 22 June, 2006.

⁵⁷ As noted by the International Crisis Group, the Quartet's strategy was based on containment, 'frustrating Hamas's government while avoiding a humanitarian crisis, and simultaneously preparing the ground for a popular backlash and/or reversal of the electoral outcome.' See: International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," Crisis Group Middle East Report 54: 13 June, 2006, p. 2.

Similarly, US Secretary of State Rice noted on 7 April 2006 when she announced that the US was suspending all aid to the Hamas government, that government aid would be restored if Hamas accepted the Quartet principles, 'or a new government comes to power that accepts them.' See: US Department of State, "Statement on Palestinian Assistance," Washington, DC: 7 April, 2006.

The central issue for the members of the Quartet was the nature of international assistance to the Palestinian authority in the aftermath of the Hamas election victory.

The 30 January statement made the Quartet position clear:

...the Quartet concluded that it was inevitable that future assistance to any new government would be reviewed by donors against that government's commitment to the principles of nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap.⁵⁸

By so publicly situating continued international funding to the Palestinian Authority as dependent on these three conditions, the Quartet members had prescribed a confrontation from which neither Hamas nor the international donor community were able to extricate themselves. The inevitability of this confrontation was determined by both the nature of the conditions themselves, and by the rigidity with which the members of the Quartet had imposed them. The stringency of the Quartet position reflected the US influence on authorship process, which led to a statement that deviated in important ways from an EU Council statement released earlier on the same day.⁵⁹

Despite the European Union and the United States agreeing on the need to impose conditions on the Hamas government, there were important differences between these actors on the key issue of *conditionality*.⁶⁰ The contrast between the Quartet statement and the EU Council statement on this issue was the immediate focus of the international media present at the Quartet press conference, who argued that daylight between the EU and the US exposed the US dominance within the grouping.⁶¹ Given the processes by which statements are constructed within the Quartet, it can be assumed that the European representatives to the grouping entered the 30 January Quartet meeting with a draft statement closely matching the one issued by the EU Council.⁶² Thus, the differences between the Quartet statement and the EU Council statement were

⁵⁸ US Department of State, "Quartet Statement on the Situation in the Middle East," London, England: 30 January, 2006.

⁵⁹ See: European Union Council, "EU Council Conclusions - Middle-East Peace Process," Brussels, Belgium: 30 January, 2006.

⁶⁰ As discussed previously, the Russian and UN representatives were inclined to soften the Quartet position during this meeting.

⁶¹ See: US Department of State, "Press Availability with Quartet Members," London, England: 30 January, 2006.

⁶² As discussed in Chapters Three and Four, each member to the grouping negotiated the wording of the common statements based on their organisational position on the matter at hand. During the Quartet meeting on 30 January 2006, there were three European principal representatives: Austrian Foreign Minister Ursula Plassnik (Austria held the European Presidency at the time), High Representative for European Common Foreign and Security Policy Javier Solana, and European Commissioner for External Relations Benita Ferrero-Waldner.

illustrative of the extent to which European officials were persuaded to accept changes in response to US pressure.

While the European and US representatives to the Quartet argued that the two statements shared the same principles, despite semantic distinctions,⁶³ the European Council statement was more ambiguous concerning the relationship between the reform of Hamas and the future of funding for the Palestinian Authority, especially concerning the linkage to recognition of Israel's right to exist. While the EU Council statement 'urged Hamas and all other factions to renounce violence, to recognise Israel's right to exist, and to disarm,' these issues were not explicitly tied to the notion of funding for the Palestinian Authority.⁶⁴ The difference between the two statements, therefore, was the extent to which reform within Hamas was presented as a *condition* for continued international funding of the Palestinian Authority.⁶⁵ Consequently, the 30 January 2006 Quartet statement became a turning point in EU-US relations within the grouping. In the subsequent period, further differences developed between these actors on this issue.

In addition to the rigidity of the Quartet position, timing was also a key aspect. The Quartet members specified the timeframe for action on their conditions when they called for the 'newly elected PLC to support the formation of a government committed to these principles as well as the rule of law, tolerance, reform and sound fiscal management.'⁶⁶ Thus, with the Palestinian Authority in caretaker mode, and Abbas remaining as President, the deadline for Hamas' adherence to the Quartet conditions was to be the formation of the Hamas-led cabinet. Consequently, according to Wolfensohn:

⁶³ For the European response, see: US Department of State, "Press Availability with Quartet Members." For Rice's response, see: US Department of State, "Remarks en Route Washington, DC," Washington, DC: 31 January, 2006.

⁶⁴ On the issue of funding, the EU Commission statement read: 'The Council expects the newly elected PLC to support the formation of a government committed to a peaceful and negotiated solution of the conflict with Israel based on existing agreements and the Roadmap as well as to the rule of law, reform and sound fiscal management. On this basis the European Union stands ready to continue to support Palestinian economic development and democratic state building.' See: European Union Council, "EU Council Conclusions - Middle-East Peace Process."

⁶⁵ With this in mind, it was no surprise that the eventual implementation of the Temporary International Mechanism (TIM), designed to ease the Palestinian fiscal crisis, was under European auspices.

⁶⁶ US Department of State, "Quartet Statement on the Situation in the Middle East."

Abbas agreed to hold off on cabinet selection until after the Israeli elections on March 28. This, I calculated, would give us two months to engage with the Hamas leaders over their stated position, which sought the destruction of Israel.⁶⁷

In essence, the Quartet members were demanding immediate and radical change from Hamas, a grouping with a complex decision-making process,⁶⁸ directly after it had won a convincing electoral victory.⁶⁹ As a senior Hamas official argued, these circumstances made compromise from Hamas nearly impossible:

The Palestinian public would not understand or forgive us if we changed positions overnight, after campaigning on a different platform, in response to outside pressure. They did not elect us to pursue the policies of those we defeated and which produced nothing after ten years. They elected us to stand for what we believe and to stand firm.⁷⁰

Central to Hamas' inability to meet the Quartet conditions was the lack of distinction made by the grouping between the Palestinian Authority as a government body headed by Hamas, and Hamas as a separate political organisation. According to a UN official, the respective members of the Quartet interpreted the language of the Quartet statement differently. For the UN, the use of the term 'government' allowed room for the PA to continue as a partner of the international community, even if Hamas as the party leading the PA had not entirely reformed. Conversely, for the United States the same language meant that 'no matter who you are, and no matter what, we want this.'⁷¹

This distinction was especially important when it came to the Quartet's demand for the recognition of Israel. Palestinian representative Ghassan Khatib argued that this demand was inconsistent with the treatment of Israeli political organisations within the Knesset, and placed an unrealistic demand on Hamas:

⁶⁷ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 434.

⁶⁸ Decision-making within Hamas takes into account the viewpoints of the four key power centres of the group. These include the external members of the Political bureau (i.e. those in exile), the Gaza Strip steering committee, the West Bank political leadership, and the prison leadership. If any three of these groups endorse a decision, it becomes the position of the movement. For an in-depth analysis of the authority structure within Hamas, see: Gunning, J., *Hamas in Politics: Democracy, Religion, Violence* (New York: Columbia University Press, 2008), pp. 95-143.

See: International Crisis Group, "Dealing With Hamas," Crisis Group Middle East Report 21: 26 January, 2004, pp. 10-13.

⁶⁹ As Daniel Kurtzer argued, by not allowing the Hamas leadership time to evolve their positions gradually, the situation was reminiscent of the conditions placed on the PLO in 1975: '...there are those who'd argue that without those conditions the PLO would have never changed. There are others who say that because of those conditions, it took 13 years or 14 years for the PLO to change. But that's why there should have been some time built in [re: Hamas] to try to figure this out, and there wasn't.' Kurtzer, D., Former United States Ambassador to Israel, interview with the author, Princeton, NJ, October, 2011.

⁷⁰ International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 6.

⁷¹ UN official. Interview with the author, Jerusalem, November, 2011.

Expecting the Hamas-led government to respect the signed agreements makes sense, but expecting 'Hamas' rather than the Hamas-led government, to recognise Israel, is an unreasonable condition that complicated the situation, and is an example of the double standard. In Israel there has always been a difference between the positions of the parties, and the position of the governments, even under the leadership of these same parties. One example is the position of the Likud party vis-à-vis the Oslo agreement. They never supported the Oslo agreements, but the Likud-led government continued the government's commitment to the Oslo agreements. Why not apply the same understanding to the Palestinians? Why does Hamas have to recognise Israel, as opposed to the government that is led by Hamas?⁷²

Furthermore, even the notion of Hamas recognising Israel through the Palestinian Authority was contested in the aftermath of the Quartet statement. Hamas officials argued that 'recognition is an act conferred by states, not movements or governments, and Palestine is not a state.'⁷³ Furthermore, for the Hamas leadership, recognition of Israel's right to exist contradicted the fundamental ethos of the group, which advocated violent resistance to the Israeli occupation and the rejection of Israeli claims to a historical homeland in that territory.⁷⁴ Any concession by Hamas on this issue would therefore be organisationally problematic, especially when it was being asked to recognise Israel in the absence of a peace agreement.⁷⁵ As Hamas official, and eventual Palestinian Prime Minister, Ismail Haniya remarked, 'we do not provide political positions free of charge.'⁷⁶

In summary, by placing such an unrealistic demand on Hamas in the post election period, the 30 January Quartet statement made the consequent financial isolation of the Hamas-led Palestinian Authority unavoidable. Crucially, this isolation allowed Hamas to evade the responsibilities of regular government that President Abbas' normalisation strategy relied upon, instead creating a pariah government that was exempt from the everyday pressures of governance.⁷⁷ In essence, Hamas had come to power through an election, and President Abbas preferred to remove them through another election. As a Fatah official remarked:

⁷² Khatib, G., Former Director of Palestinian Authority Media Centre, interview with the author, Ramallah, Palestinian Territories, November, 2011.

⁷³ International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink."

⁷⁴ See: International Crisis Group, "Dealing With Hamas," p. 10-16.

⁷⁵ However, Hamas Parliamentarian Riad Mustafa outlined that Hamas' program called for 'the end of the occupation, not the destruction of Israel,' and that Hamas had proposed, in lieu of recognition, a 'long term truce' to bring peace to the region. See: International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 3.

⁷⁶ Ibid.

⁷⁷ Ghassan Khatib argued that '...the strategy of the international community, which was about denying the Hamas government the chance to govern, contradicted with Fatah's opposition strategy, which was meant to give Hamas the opportunity to govern and stumble on the same hardships.' See: Khatib, "The Collapse of the Peace Process and the Rise of Hamas ": p. 4.

'...I want [Hamas] to fail. And I want them to fail because of themselves, not because of conspiracies involving the US, EU, and Olmert that don't give them an opportunity to govern, but because they failed to govern despite the opportunity to do so.'⁷⁸

By denying the Hamas government the opportunity to govern, the Quartet also diminished the prospects of achieving electoral accountability in the future.

As the deadline for the formation of the Hamas cabinet approached, Abbas' normalisation strategy and the Quartet's isolation strategy found common ground in Fatah's refusal to take part in a Hamas-led coalition government. Soon after the elections, Hamas had outlined its intention to form a broad-based coalition government, including both Fatah and Hamas cabinet members.⁷⁹ This proposal was met with strong resistance from both Fatah and US officials.

For the United States, any 'blurring of the line' between Hamas and other, more palatable, Palestinian factions within the Palestinian Authority weakened the quarantine of a purely 'Hamas government.'⁸⁰ As such, US officials urged Fatah officials to decline the invitation to join the Hamas government, and pressured independents to do likewise.⁸¹ The 'Hamas only' character of the Palestinian Authority was also important for the Palestinian normalisation strategy. The Fatah Central Committee concluded that Fatah's participation in the Hamas-led PA would provide political cover for Hamas in government, and suggested that Fatah should go into opposition.⁸² Fatah's strategy, therefore, was to allow Hamas to face the same hurdles that had contributed to its own decline in popularity throughout its years of governing, a tactic that Hamas itself had used effectively against it while in opposition.⁸³

The decisions taken by Fatah and the Quartet in the aftermath of the Hamas election victory resulted in a paradox. While Fatah and the Quartet members were unified in their desire to remove Hamas from government, the means through which they attempted to achieve this outcome were incompatible. The Quartet strategy was to isolate Hamas politically and financially, arguably in the hope of forcing either the collapse or popular overthrow of the Hamas government. The Fatah strategy sought to

⁷⁸ See: International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 10.

⁷⁹ Erlanger, "Hamas Routes Ruling Faction, Casting Pall on Peace Process."

⁸⁰ de Soto, "End of Mission Report," p. 21.

⁸¹ Ibid.

⁸² Erlanger, "Hamas Routes Ruling Faction, Casting Pall on Peace Process."

⁸³ Khatib, "The Collapse of the Peace Process and the Rise of Hamas ": p. 3.

remove Hamas electorally after the failures of governing had tarnished the reputation of the group in the eyes of the Palestinian public. In essence, the normalisation strategy relied on Hamas governing and failing, whereas the isolation strategy relied on Hamas being prevented from governing effectively. As the following section demonstrates, the latter strategy directly undermined the former, with lasting consequences.

The Hamas Government and the Palestinian Fiscal Crisis

The steps taken by the international community with the presumed purpose of bringing about a Palestinian entity that will live in peace with its neighbour Israel have had precisely the opposite effect.

- Alvaro de Soto, United Nations envoy to the Quartet (2005-2007).⁸⁴

It's like a meeting with a dietician. We have to make them much thinner, but not enough to die.

- Dov Weissglass, senior advisor to Israeli Prime Minister Ariel Sharon (2001-2005), on Israel's economic boycott of the Hamas government.⁸⁵

The international isolation of the Hamas government had far reaching political, economic and humanitarian ramifications. Within the context of the peace process, the dichotomisation of the Palestinian leadership, and the subsequent division of Palestinian territory based on this dichotomy, added another layer of complexity to the Israeli-Palestinian relationship. The paradox of Palestinian disunity was that only through the exclusion of Hamas could an Israeli-Palestinian dialogue emerge, but any products of this dialogue would eventually rely upon the cooperation of Hamas in the implementation stage. Thus, while Abbas continued to function as the main Palestinian representative in negotiations, his ability to speak for all Palestinians had been diminished significantly. As Ehud Olmert remarked after succeeding in the 28 March 2006 Israeli elections, 'this guy [Abbas] is actually unable to even exercise his authority. What shall I negotiate with him about?'⁸⁶

The fiscal crisis in the Palestinian territories complicated this situation further. The Palestinian state-building project deteriorated amid internecine political warfare between Hamas and Fatah and a fiscal blockade imposed by the global donor community. According to UN Special Rapporteur on Human Rights in the Occupied

⁸⁴ de Soto, "End of Mission Report," p. 19.

⁸⁵ Benn, A., "US Backs Israel on Aid For Humanitarian Groups, Not Hamas," *Haaretz*, 16 February, 2006.

⁸⁶ International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 18.

Territories John Dugard, the cut-off of international aid to the Palestinian Authority following the formation of the Hamas government was the first time that an occupied people had been subjected to economic sanctions.⁸⁷ However, neither economic nor political isolation resulted in the removal of Hamas from the Palestinian political equation, and for the remainder of 2006 the Middle East peace process stagnated.

It should be noted that the fiscal crisis in the Palestinian territories was not an unexpected consequence of the Quartet's 'conditions' on the Hamas government. According to Quartet envoy James Wolfensohn, he warned the Quartet principals during the 30 January meeting that the Palestinian Authority was already 'basically bankrupt', and that any further reduction in external funding would be disastrous.⁸⁸ By this stage, however, Wolfensohn had already been diplomatically 'cut off' by US representatives, and in February 2006 he was informed that the office of the Quartet representative would soon be shut down.⁸⁹ Wolfensohn was 'furious', and he noted that the office of the Quartet representative had recently received ample funding to remain in operation.⁹⁰ He continued to stay in touch with the non-US members of the Quartet, but concluded that the 'Americans had effectively cut me off at the knees.'⁹¹

Wolfensohn was not the only representative within the Quartet that was against the imposition of an economic boycott. As the deadline for the formation of the Hamas government approached, UN Secretary General Annan sought to re-visit the Quartet position vis-à-vis the Hamas government with the other Quartet members, but his suggestion was summarily dismissed by Secretary of State Rice. When he proposed that the Quartet reconvene on 28 March 2006, Rice told him that 'the fact is we are split and we can't hide that,' adding that 'I am always happy to see you all, but I am not sure

⁸⁷ United Nations Department of Public Information, "UN Rights Expert Paints Dire Picture of Situation in Occupied Palestinian Territory."

⁸⁸ As Wolfensohn argued, 'If funding were to be provided for salaries to be paid in full, with only minimum operating costs covered, the PA would still face a monthly deficit of \$60-70 million, despite the inclusion of the agreed-upon contributions already announced by some donors. At the very least, the PA needed \$500 million in funding to stay afloat through September.' See: Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 433.

⁸⁹ According to Wolfensohn, by this stage he was 'privy to the Secretary of State's movements and to the odd readout from the State Department,' but only 'nominally being kept informed by US officials.' He concluded that 'In the end, the State Department's unwillingness to involve the Quartet office any further led to its slow shutdown. The US representative to the Quartet mission, Ambassador Bill Taylor, had been prematurely withdrawn from Jerusalem at the end of January. Although the United States agreed that we could continue our work until just after the results of the Israeli election in March, part of my staff left before then. The office was finally closed at the end of April.' See: *Ibid.*, p. 435.

⁹⁰ Russia had recently donated a million dollars to Wolfensohn's team, which could have funded it until the latter half of 2006. See: *Ibid.*

⁹¹ *Ibid.*, p. 436.

there is anything further to discuss in the Quartet.’⁹² With the United States resisting any such alterations, the Quartet position vis-à-vis Hamas was difficult to revise in the years that followed.

On 29 March 2006, the Hamas government was installed, and Hamas official Ismail Haniya was named Palestinian Prime Minister. This resulted in a system of dual power in the Palestinian territories, with Hamas controlling the PA government and parliament, and Fatah controlling the PA Presidency and the PLO. Crucially, in addition to his institutional powers as President, Abbas maintained his control of the Palestinian security forces, which were almost exclusively composed of Fatah supporters.⁹³ Furthermore, as head of the PLO he remained the primary Palestinian representative in the conduct of relations with Israel, a position that Hamas officials did not dispute.⁹⁴

The international reaction was immediate. Despite there being no mention of diplomatic ties in the 30 January Quartet statement, the United States, the European Union and, surprisingly, the office of the UN Secretary General immediately cut off all levels of contact with the Hamas government.⁹⁵ After a discussion via teleconference on 30 March 2006, the Quartet members deemed, as they were bound to do, that the new Hamas government had not met the conditions set on 30 January 2006. The statement issued by the Quartet members ‘welcomed President Abbas’ call for the new Palestinian government to commit to a platform of peace,’ but noted with ‘grave concern’ that in light of the Hamas government’s failure to adhere to the Quartet conditions there would ‘inevitably be an effect on direct assistance to that government and its ministries.’⁹⁶ Tellingly, the statement also noted that the Quartet members ‘encouraged continued

⁹² Annan, *Interventions: A Life in War and Peace*, p. 292.

⁹³ International Crisis Group, “Palestinians, Israel, and the Quartet: Pulling Back From the Brink,” p. 11.

⁹⁴ According to Hamas Parliamentarian Riad Mustafa, the Hamas government ‘recognised President Abbas’ right to conduct political negotiations with Israel. If he were to produce a peace agreement, and if this agreement was endorsed by our national institutions and a popular referendum, then – even if it includes Palestinian recognition of Israel – we would of course accept their verdict. Because respecting the will of the people and their democratic choice is also one of our principles.’ See: Ibid.

⁹⁵ It appears that in hindsight, UN Secretary General Annan came to regard this decision as unrealistic. In a discussion of the negotiations surrounding the release of captured Israeli soldier Gilad Shalit, in which German negotiators played a valuable role in liaising with Hamas, Kofi Annan reflected that ‘that slogans about never talking to terrorists do not survive encounters in the real world – in the Middle East or elsewhere.’ Annan, *Interventions: A Life in War and Peace*, p. 307.

Russian contacts with Hamas officials continued, despite the Quartet conditions. On 9 May 2006 Russian Foreign Minister Lavrov noted that for Russian representatives, maintaining contact with the Hamas government was ‘essential’. See: US Department of State, “Quartet Press Conference,” New York City: 9 May, 2006.

⁹⁶ US Department of State, “Quartet Statement on Middle East Peace,” New York City: 20 September, 2006.

humanitarian assistance to meet the basic needs of the Palestinian people.’⁹⁷ In the months that followed this statement, the nature of international financial support for the Palestinians shifted from developmental aid designed to bolster Palestinian Authority institutions, to purely humanitarian aid designed to avert a health crisis.⁹⁸

Thus, on 7 April 2006, Rice announced that the United States would increase its humanitarian aid while suspending all funding to the Hamas government’s cabinet and ministries.⁹⁹ The NGOs tasked with delivering this humanitarian aid to the Palestinian people, however, faced significant legal constraints from the US government concerning contacts with the Palestinian Authority.¹⁰⁰ Furthermore, the United States applied similar pressure on the international banking sector, threatening to blacklist any bank that did business with the Hamas government.¹⁰¹ With the United States taking a strong public stance on this issue, other nations and organisations followed. The European Union severed all political and financial links with the Hamas government and ministries, and neighboring Arab countries such as Egypt and Saudi Arabia (while not publicly supporting the Quartet conditions) were also convinced by US officials to tailor their aid so that it could not reach Hamas.¹⁰²

The sanction that had the most devastating impact on the Palestinian economy, however, came from Israel.¹⁰³ On 19 February 2006, acting Prime Minister Olmert declared that:

It is clear that in light of the Hamas majority in the PLC and the instructions to form a new government that were given to the head of Hamas, the PA is - in practice - becoming a terrorist authority.¹⁰⁴

⁹⁷ Ibid.

⁹⁸ According to a senior UN official, interviewed by the International Crisis Group, the sentiment in Washington at the time was that the Palestinians should ‘survive, not thrive.’ See: International Crisis Group, “Palestinians, Israel, and the Quartet: Pulling Back From the Brink,” p. 26.

⁹⁹ Rice noted that ‘basic humanitarian assistance – including health, food, and education – will increase by 57 percent, for a total of \$245 million. The United States will also provide \$42 million to strengthen civil society and independent institutions. Assistance will be administered through the United Nations Relief and Works Agency (UNRWA) and non-Palestinian Authority actors, including local and international NGOs.’ See: US Department of State, “Statement on Palestinian Assistance.”

¹⁰⁰ The need for developing a new mechanism for delivering aid to the Palestinians while bypassing the Palestinian Authority eventually led to the creation of the EU-Temporary International Mechanism, to be discussed subsequently.

¹⁰¹ International Crisis Group, “After Mecca: Engaging Hamas,” Crisis Group Middle East Report 62: 28 February, 2007, p. 2.

¹⁰² Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 420.

¹⁰³ The World Bank, “The Impending Palestinian Fiscal Crisis, Potential Remedies,” 7 May, 2006.

¹⁰⁴ Israel Ministry of Foreign Affairs, “Cabinet Communique,” Jerusalem: 19 February, 2006.

The Israeli government considered the 18 February swearing in of the Palestinian Parliament, rather than the formation of the Palestinian cabinet, to be the official start of the Hamas government. Consequently, the Olmert cabinet declared that from 19 February onwards, the government of Israeli would withhold the transfer of all tax revenue collected on behalf of the Palestinian Authority.¹⁰⁵ The consequences for the Palestinian economy were severe. According to an EU position paper in April 2006:

The looming crisis is not the result of suspension of [donor] aid – nor will the crisis be averted by a resumption of direct aid. The key underlying factor is the continued freeze in Israeli transfers of PA fiscal revenue and the strict Israeli policy on closures and other restrictions.¹⁰⁶

Wolfensohn calculated that the taxes being withheld by Israel amounted to a \$60 million per month reduction in Palestinian revenue, which was compounded by the pre-existing monthly shortfalls of approximately \$80 million.¹⁰⁷ Effectively, by withholding such substantial Palestinian tax revenue, the government of Israel had the ability to 'turn the Palestinian economy on and off.'¹⁰⁸ For the Quartet members, this Israeli decision exposed the divisions within the grouping. As de Soto noted:

Israel's cut-off of the main source of income of the PA was never intended by three of the Quartet members. The UN (myself) was the first to call on Israel not to do this, the very day that the decision was communicated to international representatives. The EU has since repeatedly called on Israel to resume transfer; the sums withheld surely add up to the high hundreds of millions of dollars by now. However, the Quartet has been prevented from pronouncing on this because the US, as its representatives have intimated to us, does not wish Israel to transfer these funds to the PA.¹⁰⁹

¹⁰⁵ Ibid.

Palestinian tax revenue has been collected and then transferred by Israel since 1994 when the 'Protocol on Economic Relations Between the Government of the State of Israel and the PLO' was signed by both parties. Since then, there have been numerous occasions on which the government of Israel has frozen the transfer of this revenue as a punitive measure in response to circumstances in the Palestinian territories. For one such example, see the policy of the government of Israel after the inclusion of Palestine into UNESCO: Sherwood, H., "Israel Unfreezes Palestinian Authority Tax Millions," *The Guardian*, 1 December, 2011.

¹⁰⁶ 'EC Assistance for the Palestinians', European Commission draft position paper dated 27 April 2006, as cited by: International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink."

¹⁰⁷ In an interview with International Crisis Group, Wolfensohn noted that: 'The PA has recurring monthly operating costs of approximately \$165 million, amounting to between \$1.8 and \$2.0 billion a year. Before the current fiscal crisis, only about 21 percent of this amount (roughly \$35 million monthly) was raised directly by the PA in the form of taxes and income. Of the remaining \$130 million, \$50 million to \$60 million consisted of taxes, tariffs and other fees collected by Israel on the PA's behalf and transferred to it on a monthly basis. The monthly shortfall of some \$70 million to \$80 million – 42 percent to 48 percent of the total required – had to be made up from other sources.' Ibid. p.22.

¹⁰⁸ International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 24.

¹⁰⁹ de Soto, "End of Mission Report," p. 20.

The cumulative effect of both the donor boycott and the Israeli transfers freeze was a fiscal crisis in the Palestinian territories. The Palestinian economy declined from a six percent growth rate in 2005 to a five percent negative growth rate by the end of 2006.¹¹⁰ According to a report by the United Nations Relief and Works Agency:

The PA fiscal crisis resulted in an estimated decline of more than USD 500 million in oPt [occupied Palestinian territories] household income in first-half 2006. As a result, real per capita consumption levels (including external assistance) declined by about 12 percent, with food consumption down by 8 percent and non-food consumption down 13 percent relative to second-half 2005. *This increased the number of deep poor from an average of 650,800 in second-half 2005 to an average of 1,069,200 in first-half 2006—a 64.3 percent increase.* The individual deep poverty rate climbed from 17.3 to 27.5 percent as between these two periods.¹¹¹

In summary, the Palestinian Authority government led by Hamas had no control over its borders or security services, no access to natural resources or regular tax receipts, and no means to alleviate the situation short of capitulation to the antithetical demands of the international community led by the Quartet. Income insecurity undermined the capacity of the Palestinian security services to maintain law and order and prevent attacks against Israel,¹¹² and the tightening of the Israeli closure system limited the economic mobility of Palestinians further.¹¹³ The situation worsened, and on 4 May 2006, Ehud Olmert was sworn in as the Israeli Prime Minister. This ruled out the return of Ariel Sharon.¹¹⁴

The Resignation of James Wolfensohn

I think the Quartet itself must continue, but the role of a disenfranchised leader of that Quartet doesn't seem to me to be a particularly attractive thing to spend your life doing.

- James Wolfensohn, Quartet envoy to the Gaza disengagement (2005-2006).¹¹⁵

It was within this context that Quartet envoy James Wolfensohn resigned. His term as Quartet representative was scheduled to end on 30 April 2006, but from February

¹¹⁰ Elgindy, K., "The Middle East Quartet: A Post Mortem," *The Saban Center for Middle East Policy, Brookings Institute*, 25 (2012): p. 21.

¹¹¹ United Nations Relief and Works Agency, "Prolonged Crisis in the Occupied Palestinian Territories: Socio-Economic Impacts of the New Phase on Refugees and Non-refugees," November, 2006, p. iii. (emphasis in original)

¹¹² de Soto, "End of Mission Report," p. 20.

¹¹³ The World Bank, "Movement and Access Restrictions in the West Bank: Uncertainty and Inefficiency in the Palestinian Economy," 9 May, 2007, p. 1.

¹¹⁴ Israel Ministry of Foreign Affairs, "Address to the Knesset by PM Olmert on Presentation of 31st Government," Jerusalem: 4 May, 2006.

¹¹⁵ United States Senate Committee on Foreign Relations, "Hearing Before the 109th Congress: Post-Palestinian Election Challenges in the Middle East," S. HRG. 109-903: 15 March, 2006.

onwards he had encountered increasing diplomatic isolation. When Russian representatives asked him to extend his mission in order to attend the July 2006 G8 meeting, he declined on the grounds that he had 'no vote, no office, and no information.'¹¹⁶ On 1 May 2006, Wolfensohn and Rice held a press conference to explain his departure. At the time, Wolfensohn said that he was resigning because the political developments of recent months were above his 'pay grade,' and that current circumstances made any independent arrangements regarding Gaza or the West Bank near impossible.¹¹⁷ While these circumstances certainly played a role, Wolfensohn later made clear that the central problem he faced was a lack of authority:

The Quartet had the authority, and within the Quartet it was the Americans who had the authority. It was not a Quartet decision to close the office. There was never a desire on the part of the Americans to give up control of the negotiations, and I would doubt that in the eyes of Elliott Abrams and the State Department team, I was ever anything but a nuisance.¹¹⁸

Wolfensohn concluded that Rice had always seen his appointment as a 'double edged sword'; on the one hand his standing demonstrated her seriousness, on the other, his powerful connections were threatening.¹¹⁹ Seeking closure on his assignment, in August 2006 Wolfensohn met with Bush at the White House. During this meeting he emphasised to Bush that 'there would be no peace between Israel and the Palestinians unless we went back to the November plan [Agreement on Movement and Access], agreed on by Secretary Rice, the Israelis and the Palestinians, in my presence.'¹²⁰ The key to peace was giving economic hope to the Palestinians, but ultimately his mission failed 'due to a circumscribed mandate and lack of support from Washington.'¹²¹ As Wolfensohn admitted, he felt 'stupid for not reading the small print,' because he was 'never given a mandate to negotiate the peace.'¹²²

This lesson informed Wolfensohn's response to an unlikely offer in September 2006. During the 20 September 2006 Quartet meeting, the principals (led by Annan) discussed the re-appointment of Wolfensohn as Quartet envoy to 'report on the situation on the

¹¹⁶ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 436.

¹¹⁷ US Department of State, "Remarks After Meeting With Special Envoy for Gaza Disengagement James Wolfensohn," Washington, DC: 1 May, 2006.

¹¹⁸ Smootha, S., "All the Dreams We Had Are Now Gone," *Haaretz*, 19 July, 2007.

¹¹⁹ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 438.

¹²⁰ *Ibid.*, p. 437.

¹²¹ Kurtzer, D. and Lasensky, S., *Negotiating Arab-Israeli Peace: American Leadership in the Middle East* (Washington, DC: United States Institute of Peace Press, 2007), p. 63.

¹²² Smootha, "All the Dreams We Had Are Now Gone."

ground.¹²³ When Annan called Wolfensohn to discuss the offer, he immediately asked whether Rice had supported his appointment, to which Annan replied that she had.¹²⁴ Informed by his previous experience, Wolfensohn contacted Rice to clarify two important issues. Firstly, he asked whether he would again be protected by US security personnel while in the region, to which Rice replied that he would not, and to seek security from the Europeans.¹²⁵ Secondly, and more importantly, he asked whether US representatives Elliott Abrams and David Welch would keep him informed on the state of negotiations between the United States and Israel. Rice replied that this would be 'difficult.'¹²⁶ This was unsatisfactory to Wolfensohn, who argued later that:

...after the previous experience it was very clear to me that there was a direct dialogue between the United States and the Israelis. And if you weren't part of that, you really had no chance of being central to what was going on.¹²⁷

Consequently, Wolfensohn called Annan to decline the offer, noting that he would not accept an appointment that he 'could not carry out.'¹²⁸ As he made clear later, by this stage Wolfensohn had concluded that the United States did not take the Quartet seriously, and used the grouping as camouflage for their direct negotiations with the Israelis.¹²⁹

The Temporary International Mechanism

...I am concerned that the divisions which have often paralyzed the United Nations itself now also increasingly inhibit the capacity of the Quartet (and its regional partners) to play the beneficial role which it could do were it to act with determination and consistency. We therefore find ourselves at a crossroads, with increasing frustration — both in the region and in the international community at large — at the Quartet's regrettably limited effectiveness, matched by the apparent lack of any alternative mechanism at present.

- Kofi Annan, United Nations Secretary General (1997-2006).¹³⁰

On 9 May 2006, the Quartet members expressed their 'appreciation for the service of James Wolfensohn,' noting in particular the 'central role' he played in the conclusion of

¹²³ US Department of State, "Quartet Statement on Middle East Peace."

¹²⁴ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 438.

¹²⁵ Ibid.

¹²⁶ Ibid.

¹²⁷ Wolfensohn, J., "A Global Life," The 7.30 Report with Kerry O'Brien, ABC, Sydney, 28 October 2010.

¹²⁸ Wolfensohn, *A Global Life: My Journey Among Rich and Poor, from Wall Street to the World Bank*, p. 438.

¹²⁹ Wolfensohn, "A Global Life."

¹³⁰ United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006, p. 12.

the AMA and the 'promulgation of an agenda for Palestinian economic recovery.'¹³¹ The topic of the Palestinian economy had been high on the agenda during this meeting, which had included the input of Egyptian, Jordanian, and Saudi representatives.¹³² In the context of a worsening fiscal climate in the Palestinian territories, the Quartet members had sought to ease regional concerns about an impending humanitarian crisis by announcing the formation of a new funding mechanism.¹³³

According to the Quartet members, a 'Temporary International Mechanism' (TIM) would be developed by the European Union, and would be a 'transparent, accountable' and 'direct' means of delivering assistance to the Palestinian people.¹³⁴ In other words, the TIM would allow the international community to increase humanitarian assistance to the Palestinians, and funding for the office of the Palestinian President, while also continuing the economic isolation of the Hamas government.¹³⁵ Indeed, the TIM was designed to 'pool donor funding,' using the Palestinian presidency as an 'interface between the international community and the Palestinian Authority,' which would then be passed on directly to Palestinian humanitarian organisations.¹³⁶ Essentially, the TIM was an internationally managed trust fund which would be accessible only by President Abbas.¹³⁷

For the European Commissioner, Benita Ferrero-Waldner, the task of developing the TIM led to increased tensions in US-EU relations. According to Quartet insiders, a Quartet teleconference scheduled for 7 June 2006 was cancelled amid strong disagreements between US and EU officials over an EU proposal for the TIM to cover the salaries of health sector workers in the PA. US officials reportedly told European

¹³¹ US Department of State, "Quartet Statement on Middle East Peace."

¹³² These representatives were Egyptian Foreign Minister Ahmed Aboul Gheit, Jordanian Foreign Minister Abdelalah al-Khatib and Saudi Arabian Foreign Minister Saud Al-Faisal.

¹³³ EU Foreign Minister Ursula Plassnik made this connection clear when she stated that 'We do care for the Palestinians. We do care for the Palestinian population and their needs and we are ready to take concrete practical steps.' See: US Department of State, "Quartet Press Conference."

¹³⁴ US Department of State, "Quartet Statement on Middle East Peace."

¹³⁵ In the press conference following the 9 May Quartet statement, Russian FM Sergei Lavrov made clear that the Russian representatives continued to meet with Hamas, noting that 'only through joint efforts and through a joint involvement of Hamas can we achieve results. Isolation will not help us reach the goal we all wish to reach.' See: US Department of State, "Quartet Press Conference."

¹³⁶ According to an EU official interviewed by the International Crisis Group: International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 28.

¹³⁷ Ironically, after years of calling for financial transparency and institutional reform under the Presidency of Yasser Arafat, the Quartet members had bestowed upon President Abbas total responsibility for public finances and spending.

representatives to 'go back to the drawing board,' ostensibly because the US did not want the TIM to cover any public sector salaries, including health services.¹³⁸

As work continued in Europe on the TIM, Israeli Prime Minister-elect Olmert stated publicly that he was interested in resuming Israeli-Palestinian negotiations with President Abbas. While Olmert conceded that Abbas may still be 'too weak' to conduct negotiations on behalf of all Palestinians, he noted that:

If the Palestinians will be ready, again, I'd more than be happy to negotiate with them because I want to have another side accountable, with a clear address, that I can charge with responsibility for events that may take place in the future.¹³⁹

On 17 June, the TIM was approved for a period of three months by the Quartet members, who expressed 'hope that other donors, international organizations, and the State of Israel would consider participation in this mechanism.'¹⁴⁰ Ironically, in the midst of economic sanctions, the TIM mechanism eventually accounted for a 27 percent increase in the total level of assistance from the European Union to the Palestinians, with funds totalling EU651 million in 2006.¹⁴¹ The TIM included allocations for the overdue payroll of around 80 percent of the civilian employees of the PA, but excluded funding for the security services.¹⁴² This decision was partially in reaction to international concerns about the stockpiling and security build-up that Hamas and Fatah had been engaging in since early 2006, in anticipation of an outbreak of intra-Palestinian violence.¹⁴³ Indeed, in the months that followed, violence became the centerpiece of regional developments.

Talk of Israeli-Palestinian negotiations evaporated when, on 25 June 2006, a group of Palestinian fighters (including Hamas operatives) tunnelled 650m into Israeli territory, killed two IDF soldiers, and kidnapped another.¹⁴⁴ The IDF responded by closing the Rafah border crossing, and destroying the only Palestinian-owned power plant in

¹³⁸ International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," p. 31.

¹³⁹ Israel Ministry of Foreign Affairs, "Excerpts from interview by PM Olmert," Jerusalem: 9 June, 2006.

¹⁴⁰ US Department of State, "Quartet Statement," Washington, DC: 17 June, 2006.

¹⁴¹ United Nations Department of Public Information, "Temporary International Mechanism (TIM) Makes Fifth Payment From European Funds to Public Service Providers and Pensioners," 2 February, 2007.

¹⁴² Ibid.

¹⁴³ For an in-depth examination of the power dynamics within the competing Palestinian security services during this period, see: International Crisis Group, "After Mecca: Engaging Hamas," pp. 9-16.

¹⁴⁴ Israel Ministry of Foreign Affairs, "Two Soldiers Killed, One Missing in Kerem Shalom Terror Attack," 25 June, 2006.

Gaza.¹⁴⁵ Calls for the release of the kidnapped Israeli soldier, twenty year-old Corporal Gilad Shalit, were unanimous, and throughout the subsequent five years of captivity his situation was a frequent focus of Quartet statements.¹⁴⁶

The Israeli-Palestinian issue was sidelined further by the events of July and August 2006. On 12 July, eight IDF soldiers were killed and two kidnapped by Hezbollah operatives on the Israel-Lebanon border.¹⁴⁷ In response, Olmert ordered airstrikes and artillery fire on Lebanese targets, and initiated a ground invasion of southern Lebanon that lasted for 34 days.¹⁴⁸ Known as the Second Lebanon War, this conflict was later deemed to have been strategically and politically misguided, and the Winograd Committee Report, published in January 2008, specifically called into question Olmert's personal judgement.¹⁴⁹

In the Palestinian territories, following the implementation of the TIM, a growing public sector rebellion continued to undermine movements towards Palestinian unity. In May 2006, a 'National Conciliation Document' was authored by a group of political prisoners representing each of the Palestinian factions. The so-called 'Prisoner's Initiative' was a document that aimed to bridge the Palestinian political divide by softening Hamas' stance and hardening Fatah's in regard to the use of political violence and recognition of Israel. Abbas immediately endorsed the document, seeing its potential for normalising Hamas through legal constraints. For this reason, Hamas officials were sceptical of the initiative and refused to agree to it without amendments. Seeking to push the issue, Abbas threatened to call a national referendum on the document, which Hamas strongly resisted on legal grounds. As the political battle over

¹⁴⁵ For the details of the immediate Israeli military response to the abduction of Gilad Shalit, 'Operation Summer Rain,' see: Israel Ministry of Foreign Affairs, "Israeli Defence Force Strikes at Targets in Gaza," 28 June, 2006., and Israel Ministry of Foreign Affairs, "Operation Summer Rain: IDF Enters Southern Gaza Strip to Secure Release of Abducted Soldier," 28 June, 2006.

¹⁴⁶ The longer Shalit's captivity continued the more frequent calls for his release became in Quartet statements. The phrasing rarely varied from that of 26 September 2008, in which 'The Quartet called for the immediate and unconditional release of Israeli Corporal Gilad Shalit.' See: US Department of State, "Quartet Statement," New York City: 26 September, 2008.

¹⁴⁷ For details of the subsequent Israeli death toll and the number of rockets fired into Israel during this period, see: Israel Ministry of Foreign Affairs, "The Second Lebanon War (2006)," Jerusalem: 12 July, 2006.

¹⁴⁸ Ibid.

¹⁴⁹ The Winograd Committee, led by Judge Eliyahu Winograd, was appointed in September 2006. For an English summary of the committee's findings, see: Israel Ministry of Foreign Affairs, "Winograd Committee Submits Final Report," Jerusalem: 30 January, 2008.

the 'Prisoner's Initiative' continued into June and July of 2006, violence and the public sector rebellion ultimately shelved the plan.¹⁵⁰

The TIM had failed to alleviate the Palestinian fiscal crisis in part because Israel had continued to withhold tax revenue, and also because Hamas had been unable to govern with a hostile Palestinian public service.¹⁵¹ Indeed, on 2 September 2006 the Union of Public Service Employees (UPSE) began an open ended strike that lasted until 14 January 2007. This strike had a crippling effect on the functioning of the Hamas government, and, because of the UPSE's strong ties to Fatah, further exacerbated inter-Palestinian tensions.¹⁵²

Compounding this situation were rumours that the United States was using regional proxies to help bolster Abbas' security services in preparation for open conflict with Hamas. According to David Rose:

Beginning in the latter part of 2006, Rice initiated several rounds of phone calls and personal meetings with leaders of four Arab nations – Egypt, Jordan, Saudi Arabia, and the United Arab Emirates. She asked them to bolster Fatah by providing military training and by pledging funds to buy its forces lethal weapons. The money was to be paid directly into accounts controlled by President Abbas.¹⁵³

On 20 September 2006, the Quartet members issued their final statement of the year on the margins of the UN General Assembly meeting. The statement endorsed the continuation of the TIM for a further three months, and offered support for Abbas' efforts.¹⁵⁴ This statement was notable for the inclusion of a minor amendment to language regarding the potential formation of a Palestinian unity government:

The Quartet welcomed the efforts of Palestinian President Mahmoud Abbas to form a Government of National Unity, in the hope that the platform of such a Government would reflect Quartet principles and allow for early engagement.¹⁵⁵

According to European officials at the time, the use of the term 'reflect' was intended to soften the Quartet's conditions on a potential unity government that could end the

¹⁵⁰ International Crisis Group, "Palestinians, Israel, and the Quartet: Pulling Back From the Brink," pp. 16-21. Some aspects of the initiative would reappear in the Mecca agreement reached between Fatah and Hamas in early 2007.

¹⁵¹ Ibid., p. 28.

¹⁵² International Crisis Group, "After Mecca: Engaging Hamas," p. 7.

¹⁵³ See: Rose, "The Gaza Bombshell."

¹⁵⁴ US Department of State, "Quartet Statement on Middle East Peace."

¹⁵⁵ Ibid.

destructive Palestinian impasse.¹⁵⁶ US officials denied this interpretation of the language, however, and the term did not reappear in subsequent Quartet statements.¹⁵⁷

As inter-Palestinian violence increased, the situation presented a limited number of options for the Quartet members. A Palestinian unity government would require support from the international community, and potentially a softening of the Quartet's conditions regarding the recognition of Israel. However, such a government might endanger the TIM, and would certainly face strong resistance from Israel, making negotiations politically unlikely. Conversely, the continued isolation of the Hamas government, exacerbated by US support for Fatah, made the potential for violent conflict between the two Palestinian factions increasingly likely. With the isolation strategy showing limited effectiveness in removing the Hamas government from power, US officials applied strong pressure on Abbas to dissolve the Haniya government and to call for fresh elections. According to a leaked US memo, as reported by Rose, US officials had provided assurances to Abbas that if the conflict with Hamas escalated, that the United States would provide 'political and material support.'¹⁵⁸ In the event of open conflict, however, only a Fatah victory had the potential to re-establish both international funding and Israeli-Palestinian negotiations. Such a victory was far from assured.

Formulating an effective and common position within such a complex regional environment divided and stymied the Quartet members. The period between the 20 September 2006 and the 2 February 2007 Quartet statements was one of the key periods of Quartet inactivity, due largely to internal paralysis over the aforementioned issues.

On 11 December 2006, departing UN Secretary General Annan released his End of Mission Report, reflecting on his time in the role and offering an assessment of the work of the Quartet. The report offered far-reaching conclusions on both the nature and history of the Israeli-Palestinian conflict, and the work of the Quartet within that context. Annan emphasised that the actions of both the Israelis and Palestinians had contributed to the failures of past peace initiatives. In particular, Annan focused on the failures of Palestinian security sector reforms in the past, and the corruption and inefficiencies of Arafat's period of leadership. On the Israeli side, Annan emphasised

¹⁵⁶ International Crisis Group, "After Mecca: Engaging Hamas," p. 21.

¹⁵⁷ Ibid.

¹⁵⁸ Rose, "The Gaza Bombshell."

that the Israeli settlement movement, the unproductive and heavy-handed IDF responses to Palestinian violence, and the nature of the Israeli closure system in the West Bank had all contributed to the failure of the Middle East peace process to date.¹⁵⁹

Ultimately, Annan concluded that the Quartet members had failed to emphasise the aspects of the Roadmap process that differentiated it from the Oslo period, namely parallelism, monitoring and clear end goals. For Annan, the lack of monitoring was the key to the Quartet's failure to exert robust pressure on the parties to the conflict, which undermined the effectiveness of the grouping within the context of the MEPP. In particular, Annan urged the Quartet members to increase their level of consultation with regional actors, as well as the parties to the conflict, and to take a more proactive approach to the present developments:

To retain its validity, the Quartet also needs to be open to new ideas and initiatives from within the region and outside it, and from State and non-State actors alike. Equally, it has to match the responsibility entrusted to it to oversee this process with a method of work that is systematic, even-handed and proactive rather than reactive, and ensures common messaging to the parties.¹⁶⁰

While Annan's broad conclusions regarding the effectiveness of the Quartet are discussed further in *Chapter Nine: Conclusion – The Outcomes of the Quartet*, some of his recommendations had an immediate effect on the functioning of the grouping in 2007. In the year that followed Annan's report, the Quartet members met and issued statements with more frequency than in any other period. In total, the Quartet issued 11 statements in 2007 (the next highest period of Quartet output was 2005, with seven statements issued).¹⁶¹ The members made this connection clear in their 2 February 2007 statement, in which they noted that:

The Quartet undertook to give active follow-up to these meetings and to remain closely engaged at this moment of increased activity and dialogue. The Quartet reaffirmed its commitment to meet regularly at both the principals and envoys level according to an agreed calendar, including with the parties and other regional partners,

¹⁵⁹ United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006.

¹⁶⁰ United Nations Security Council, "Report of the Secretary General on the Middle East," p. 12.

¹⁶¹ Secretary of State Rice noted on 19 June 2007: '...the Quartet is very active and I think that is only as it should be because the Quartet is really the international mechanism for pressing forward for implementation of the Roadmap, for implementation of a successful movement toward a two-state solution and for implementation of a broader comprehensive peace.' See: US Department of State, "Press Availability with Russian Foreign Minister Sergei Lavrov, UN Secretary-General Ban Ki-moon, High Representative for European Foreign and Security Policy Javier Solana, German Foreign Minister Frank-Walter Steinmeier, and European Commissioner for External Relations Benita Ferrero-Waldner," Berlin, Germany: 30 May, 2007.

to monitor developments and actions taken by the parties and to discuss the way ahead.¹⁶²

Crucially, the Quartet members had linked their ongoing 'credibility,' as a participant in the Middle East peace process to their re-engaged and proactive approach to both meeting and issuing statements.¹⁶³ However, the extent to which this represented genuine change to the outputs of the Quartet, or signalled change in the outcomes it achieved amidst the dramatic events in the Palestinian territories of 2007, are the focus of the next section.

2007: Palestinian Division and the Annapolis Conference

First of all, we recognize the President of all the Palestinian people, and that's President Abu Mazen. He was elected; he's the President. Secondly, we recognize that it was Hamas that attacked the unity government. They made a choice of violence. It was their decision that has caused there to be this current situation in the Middle East, about which we'll be spending some time discussing.

- George W. Bush, United States President (2001-2009).¹⁶⁴

The US and Israeli governments will be tempted to ignore the change, persisting in their attempts to isolate Hamas and deal only with non-Islamist members of the government. But it is only a matter of time before such fantasies come crashing down. One of the goals of the US and Israel may be to bolster Abbas, yet nothing has weakened the Palestinian president more than misplaced international attempts to strengthen him.

- Hussein Agha and Robert Malley.¹⁶⁵

In 2007, inter-Palestinian violence led to the entrenchment of physical and political divisions within Palestinian society that have proven extremely difficult to reverse or overcome. The breakdown in the National Unity Government ignited a violent confrontation that both Fatah and Hamas had been preparing for, but which neither side truly wanted. While the resulting bifurcation of Palestinian territory facilitated the re-establishment of diplomatic and economic ties between President Abbas' West Bank government and the international community, the situation in the Hamas-controlled Gaza Strip deteriorated. The by-product of this Palestinian division was the acceleration of bilateral negotiations between Olmert and Abbas that eventually led to the Annapolis process. Ironically, however, Abbas found himself with an eager Israeli counterpart at

¹⁶² US Department of State, "Quartet Statement," Washington, DC: 2 February, 2007.

¹⁶³ See: US Department of State, "Press Availability with UN Secretary-General Ban Ki-moon; Russian FM Sergei Lavrov; European High Representative Javier Solana; German FM Frank-Walter Steinmeier; EU Commissioner Benita Ferrero-Waldner."

¹⁶⁴ Israel Ministry of Foreign Affairs, "Press Conference: Prime Minister Olmert Meets with US President Bush," Washington: 19 June, 2007.

¹⁶⁵ Malley, R. and Agha, H., "The Road From Mecca," *The New York Review of Books*, 10 May, 2007.

the same moment in which his ability to deliver on behalf of all Palestinians had been seriously eroded.

In 2007, the members of the Quartet declared their intention to play a more 'proactive' and consultative role in the context of the Middle East peace process. According to Russian Foreign Minister Sergei Lavrov, this decision was taken during the 20 September 2006 Quartet meeting, which was the last for outgoing Secretary General Annan. As Lavrov noted in May 2007:

We need a comprehensive solution of the Middle East conflict, and in order to achieve that we've tried even last September where we agreed to have a more active approach by everybody concerned together with the Palestinians. And secondly, we've also advocated cooperation with countries in the region which are also able to make a contribution so that together we can achieve something.¹⁶⁶

Central to this process were the efforts of the members to reinstate the Roadmap document as the key frame of reference for the Israeli-Palestinian conflict.¹⁶⁷ While these efforts culminated in an Annapolis process underpinned by the Roadmap framework, the conceptual and practical deficiencies inherent in the Roadmap document remained unresolved. Thus, while the Quartet member's 'proactive' approach resulted in an increased output of statements and meetings, substantively the members largely sustained the positions they had previously held, especially vis-à-vis Hamas.

In the aftermath of the Palestinian confrontation, the Quartet members acted mainly in support of efforts to bolster President Abbas in the West Bank, and promoted the bilateral process that had been initiated by Olmert and Abbas. With the US Secretary of State active in the region, the other Quartet members were kept informed, but rarely operated in more than a supportive capacity. Finally, the resurrection of the Office of the Quartet Representative and the appointment of former British Prime Minister Tony Blair to the position of 'Quartet Envoy' yet again demonstrated the ability of the United

¹⁶⁶ US Department of State, "Press Availability with Russian Foreign Minister Sergei Lavrov, UN Secretary-General Ban Ki-moon, High Representative for European Foreign and Security Policy Javier Solana, German Foreign Minister Frank-Walter Steinmeier, and European Commissioner for External Relations Benita Ferrero-Waldner."

¹⁶⁷ The Roadmap provided an important frame of reference for the Annapolis process, especially for Israeli Prime Minister Olmert. Importantly, the process of bolstering the Roadmap document was inclusive of US Secretary of State Rice. In the press conference following the 2 February 2007 Quartet statement, she noted that: '...the roadmap is an international document, so anybody who stands outside of the roadmap or anybody who stands outside of support for a process that tries to accelerate the roadmap is not in opposition to the United States, not in opposition to the Israelis and Palestinians, but in opposition to the entire international community.' See: US Department of State, "Press Availability with UN Secretary-General Ban Ki-moon; Russian FM Sergei Lavrov; European High Representative Javier Solana; German FM Frank-Walter Steinmeier; EU Commissioner Benita Ferrero-Waldner."

States to overcome internal objections within the grouping in pursuit of its own initiatives.

The Mecca Agreement

We tried to deal with [recognition of Israel] in the Mecca Agreement and the platform of the Hamas led national unity government. The platform showed commitment to signed agreements, to international legality, and to the Arab Peace Initiative, which recognised Israel, but that was not good enough for the United States and the Quartet, because they wanted 'Hamas' to recognise Israel. That's not fair, from the view of the Palestinian leadership, and myself as well.

- Ghassan Khatib, Palestinian Authority Planning Minister
(2005-2006).¹⁶⁸

On 23 December 2006, Olmert and Abbas met for the first time, over dinner at Olmert's private residence.¹⁶⁹ After the meeting, and in response to the political divisions plaguing Abbas' presidency, Olmert immediately sought to 'strengthen moderate elements' by releasing a portion of Palestinian tax revenue for humanitarian projects, and easing some restrictions on movement in the West Bank.¹⁷⁰ From this meeting onwards, the two leaders established and developed a close working relationship that formed the basis for a renewed peace process throughout 2007 and 2008.

On 1 January 2007, South Korean diplomat Ban Ki-Moon assumed the role of United Nations Secretary General. Inheriting his predecessor's position within the Quartet, and conscious of Annan's recent critique of the grouping, Moon was keen to project the notion of a 're-energised' Quartet throughout 2007.¹⁷¹ Thus, the 2 February 2007 Quartet statement welcomed the incoming Secretary General to the grouping and, in an effort to address one of Annan's central concerns, 'affirmed the primacy of the Roadmap and welcomed US efforts to accelerate progress on the Roadmap.'¹⁷² Central to this progress was the 'renewed dialogue between Israeli and Palestinian leaders,' for which the Quartet members noted their support.¹⁷³

¹⁶⁸ Khatib. Interview with the author, Ramallah, Palestinian Territories, November, 2011.

¹⁶⁹ Israel Ministry of Foreign Affairs, "Prime Minister Olmert meets with Palestinian Authority President Abbas," Jerusalem: 24 December, 2006.

¹⁷⁰ Israel Ministry of Foreign Affairs, "PM Olmert Orders Implementation of Steps to Ease Restrictions on Palestinians in Judea, Samaria and the Gaza Strip," Jerusalem: 25 December, 2006.

¹⁷¹ Of the Quartet Principals, UNSG Moon used the term 're-energised' most frequently. For one such example, see: United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/62/344-S/2007/553: 20 September, 2007, p. 16.

¹⁷² US Department of State, "Quartet Statement."

¹⁷³ Ibid.

On the topic of inter-Palestinian conflict, however, the members presented a contradictory message. While expressing 'concern' about the violence that had marked the end of 2006 and calling for Palestinian 'unity,' the Quartet members made clear that the principles outlined on 30 January continued to 'endure.'¹⁷⁴ Essentially, the isolation of Hamas would persist unless a future unity government endorsed the Quartet 'conditions,' a position immediately supported by the Israeli government.¹⁷⁵ In essence, the 2 February 2006 Quartet statement established that support for Palestinian unity was superseded by continued efforts to isolate or remove Hamas from power. However, Russian Foreign Minister Sergei Lavrov noted that the Quartet had already proved itself unable to influence the positions of Hamas in the absence of diplomatic ties. In a press conference following the Quartet statement, Lavrov noted that:

...I can only repeat that [Russia is] convinced that it is necessary to work with Hamas to try to influence their position so that Hamas would accept those principles that were formulated by the Quartet. If those principles remain on paper and we just hope that they would magically be implemented and would become part of Hamas' position, this is hardly realistic. In order for this to happen, what is necessary is to conduct persistent work with Hamas, and Russia is doing that. I cannot speak on behalf of other Quartet participants. Not all of them have relations -- established relations with Hamas. But what we are doing is aimed at the implementation of the Quartet's collective platform.¹⁷⁶

Furthermore, this approach sat uneasily with the Quartet's public support for President Abbas, a central figure in the efforts to forge a unity government, especially as it limited his scope for reconciliation with Hamas. According to Palestinian official Ghassan Khatib, who was present during the negotiations between the Palestinians, the Quartet's conditions were a frequent topic of discussion which 'narrowed the room for manoeuvring for Abbas' in his attempts to reconcile with Hamas. As Khatib recounted:

...on many occasions, Hamas posed this very logical question: 'Suppose we agree with you, are there any guarantees that the international community led by the US will allow such an agreement between us to be implemented? And are there any guarantees that Israel would allow such agreement to be implemented, or such a unity government to be able to function?' And in one of the occasions, the factions asked Egypt to try to check with the United States. And Omar Suleiman, the head of Egyptian intelligence, who was heading the Egyptian team in the peace efforts, while we were in Cairo, travelled to the US in order to get us answers to these questions.

¹⁷⁴ Ibid.

¹⁷⁵ Israeli Deputy Prime Minister and Foreign Minister Tzipi Livni noted that: 'Taking a firm stand against the extremists while reinforcing the moderates are measures that complement one another and represent the correct course of action.' See: Israel Ministry of Foreign Affairs, "Response of Foreign Minister Livni to the Quartet Statement," Jerusalem: 4 February, 2007.

¹⁷⁶ US Department of State, "Press Availability with UN Secretary-General Ban Ki-moon; Russian FM Sergei Lavrov; European High Representative Javier Solana; German FM Frank-Walter Steinmeier; EU Commissioner Benita Ferrero-Waldner."

And he came back with negative answers. The answers of Washington were, no matter what kind of agreements, as long as Hamas is not abiding by the three Quartet conditions, we will not be cooperative with any outcome of these dialogues...¹⁷⁷

Unsurprisingly, the negotiations between the Palestinian factions surrounding the formation of a National Unity Government (NUG) did not include input from the members of the Quartet. Indeed, multiple failed rounds of negotiations between these factions over the preceding months led to Saudi intervention in February 2007.¹⁷⁸ US officials were kept in the dark about these talks, and learned of the Mecca Agreement only through media reports.¹⁷⁹

The agreement reached at Mecca on 8 February 2007 between Fatah and Hamas reflected the difficult situation faced by both parties at that time. Namely, neither could fully defeat the other, continued violence might escalate beyond control, and the public was turning against them both.¹⁸⁰ According to Malley and Agha, the Saudis had similarly concluded that 'a stable Israeli-Palestinian peace cannot be built on the ruins of an inter-Palestinian war.'¹⁸¹

Thus, over two days of negotiations, the Hamas delegation, led by Damascus-based Khaled Meshal, and the Fatah delegation, led by President Abbas, negotiated a reconciliation document that sought to bridge the divides not only between the two factions, but also between the international community and the Hamas-led Palestinian Authority. The deal reached by these leaders called for a new cabinet to be formed, with nine Hamas appointees, six Fatah appointees, and five independents, but crucially left the specifics of these appointments to be arranged later.¹⁸² The Mecca agreement also put forward compromise language on the issue of recognising previous peace accords, noting that the new government would 'respect' these agreements.¹⁸³ Importantly, the

¹⁷⁷ Khatib. Interview with the author, Ramallah, Palestinian Territories, November, 2011.

¹⁷⁸ President Abbas and Prime Minister Haniya met in November 2006, and Abbas met Hamas leader Khaled Mashal in January 2007. The breakdown of these talks led to further rounds of fighting in January and February: International Crisis Group, "After Mecca: Engaging Hamas," p. 16.

¹⁷⁹ According to a US official interviewed by the International Crisis Group: 'We learned of the Saudi initiative through the media. This was something King Abdallah personally wanted to do in order to assert Saudi Arabia's role in the region. It had more to do with Saudi-Iranian relations than with anything else. We were not kept informed of developments either. We expressed our view that any agreement had to meet the Quartet conditions, but we only heard of the outcome when it was announced.' See: *Ibid.*, p. 22. According to another insider account, after being taken by surprise by Saudi officials, US Secretary of State Rice was 'apoplectic.' See: Rose, "The Gaza Bombshell."

¹⁸⁰ International Crisis Group, "After Mecca: Engaging Hamas," p. i.

¹⁸¹ Malley and Agha, "The Road From Mecca."

¹⁸² Fattah, H., "Hamas and Fatah Reach Deal in Mecca," *The New York Times*, 8 February, 2007.

¹⁸³ The exact phrasing of this clause was as follows: 'The government shall abide to protect the higher national interests of the Palestinian people and protect their rights and preserve and develop their

logical extension of 'respecting' previous agreements was an implied recognition of Israel as the legitimate party with whom these agreements were reached. Finally, the agreement proposed amendments to the distribution of power within the PLO, and called for a total ceasefire between the rival Palestinian factions.¹⁸⁴ While it is arguable that the Mecca Agreement reflected a willingness on the part of the Palestinian factions to address their differences constructively, the specifics were mostly missing from the document. For example, the agreement called for Hamas to be integrated into the PLO, but did not specify how exactly this would take place. Furthermore, and crucially, the future of the Palestinian Authority and Hamas security forces was also not addressed by the Mecca Agreement. These issues in particular foreshadowed the eventual breakdown of the NUG.

The Quartet response to the Mecca Agreement was both lukewarm and ambiguous. Because the Mecca Agreement left the specific appointments for each cabinet position until a further date, the Quartet members chose to reserve final judgement until after that process had taken place. As Rice noted:

Talking about recognising or not recognising the government [is premature]... There isn't one yet. When there is one, the United States will make a determination.¹⁸⁵

Crucially, while the Quartet statement noted that the members would await the formation of the new Palestinian government, it also 'reaffirmed' the 2 February statement concerning the expectations of such a government.¹⁸⁶ As Rice stated in a subsequent interview:

...to say it's a welcome step is not to say that you're going to embrace the government. To say that it's a welcome step is to say it's a good thing that the Palestinians are not fighting among themselves.¹⁸⁷

accomplishments and work on achieving their national goals as ratified by the resolutions of the PNC meetings and the Articles of the Basic Law and the national conciliation document and the resolutions of the Arab summits and based on this, the government shall respect the international legitimacy resolutions and the agreements that were signed by the PLO.' See: Khatib, "The Collapse of the Peace Process and the Rise of Hamas ".

¹⁸⁴ As Malley and Agha point out, had the Mecca Agreement eventually been implemented, it would have amounted to a political revolution in the Palestinian territories, and the agreement itself was a 'test of whether genuine power-sharing can work in a system that has never before known anything of the sort.' See: Malley and Agha, "The Road From Mecca."

¹⁸⁵ US Department of State, "Print Roundtable: Secretary Condoleezza Rice," Washington, DC: 15 February, 2007.

¹⁸⁶ US Department of State, "Quartet Statement on the Agreement to Form a Palestinian National Unity Government," Washington, DC: 9 February, 2007.

¹⁸⁷ US Department of State, "Print Roundtable: Secretary Condoleezza Rice."

The tepid Quartet reaction to the Mecca Agreement led to further divisions between the Quartet members, in particular between Russia and the United States.¹⁸⁸ However, the Quartet's 'wait and see' approach to the formation of the NUG allowed for the continuation of the Israeli-Palestinian track in the meantime. Indeed, and tellingly, the negotiations to determine the Palestinian cabinet appointments were protracted, and a deal was not reached until five weeks later, on 17 March 2007. During this prolonged negotiations period, Olmert, Abbas and Rice met trilaterally on 19 February 2007. This meeting exemplified the multiple developments occurring within the context of the peace process during this period.

Firstly, Olmert made clear to Abbas that Israel would not recognise a NUG that did not adhere to the Quartet 'conditions.'¹⁸⁹ For Olmert, the 'only possible channel' between Israel and the Palestinian Authority would be through Abbas, ostensibly because he was 'directly elected by the public and, therefore, does not derive his authority from this or that agreement.'¹⁹⁰ Accordingly, Abbas emphasised that the Quartet conditions were also 'his conditions,' and that the portions of the Palestinian Authority controlled by him would adhere to them.¹⁹¹

Secondly, during this meeting Rice emphasised the importance of the Roadmap document not only to the fulfilment of the Quartet conditions, but to the continuation of the negotiations process between Abbas and Olmert.¹⁹² Importantly, Rice, Olmert and

¹⁸⁸ A statement from the Russian Foreign Ministry on 9 February 2007 called for the lifting of the blockade on the Palestinian territories in response to the Mecca Agreement. When questioned about the differing positions of Russia and the US, Secretary of State Rice's answer was illustrative of the differing interpretations regarding what constitutes a Quartet position: 'Well, I think maybe Lavrov said it best. There can be individual or unilateral views, but then there is an international organization and an international instrument called the Quartet which has a view that I think has very strong bearing on how the international community will behave. And Russia is a part of that Quartet and you saw the statement coming out of the Quartet.' See: *Ibid.*

¹⁸⁹ As Olmert noted after the meeting: 'We made it clear, as simply and as plainly as possible, it being completely evident that our demand, like that of the international community and the US, is that a Palestinian government that accepts the Quartet principles thereby recognizes all of the agreements that have been signed between the State of Israel and the PA, and will carry them out... I also added that we will not recognize any government that does not honor these commitments. Neither will we cooperate with it or its ministers.' See: Israel Ministry of Foreign Affairs, "Prime Minister Olmert Addresses Kadima Knesset Faction After Trilateral Meeting," Jerusalem: 19 February, 2007.

¹⁹⁰ *Ibid.*

¹⁹¹ In her press conference following the trilateral, US Secretary of State Rice noted that: The President helped to broker this and so the -- so President Abbas was able to talk again about how committed he was to the Quartet principles, how the Quartet principles are, in fact, his principles. He doesn't call them the Quartet principles; he says those are my principles because I think they're right.' See: US Department of State, "Roundtable With Traveling Press," Jerusalem: 19 February, 2007.

¹⁹² The linkage between the Quartet conditions and the Roadmap, as discussed previously, was tenuous at best. Irrespective, Rice noted after the trilateral that: 'I think that the roadmap and just about every other plan or guide to the establishment of a Palestinian state understands or assumes that if there's going to be

Abbas had found a means through which to relate their ongoing negotiations back to the Roadmap framework, and to sidestep the Palestinian division in the process. This process relied upon a new interpretation of the sequencing of the Roadmap document. As Rice noted:

...the sequence of the roadmap doesn't preclude talking about the destination. And for a while, we were stuck in the notion that you couldn't talk about the destination until you've fulfilled all the phases of the roadmap.¹⁹³

In essence, Rice, Olmert and Abbas had found a way to continue discussing the final status issues in the absence of the completion of Phase One of the Roadmap, and within the context of a divided Palestinian polity that made *implementation* of any agreement in the short term extremely difficult.¹⁹⁴ Crucially, this logic later underpinned the Annapolis process.¹⁹⁵

On 17 March 2007, the inter-factional Palestinian NUG was established, with Prime Minister Haniyah and President Abbas retaining their leadership positions and with the important introduction of Salam Fayyad as the Palestinian Finance Minister.¹⁹⁶

Furthermore, the structure of the NUG maintained Abbas' role as the key Palestinian representative to the international community, including in negotiations with the Israelis.¹⁹⁷ Consequently, Abbas embarked on a campaign to convince the international community to support the NUG, arguing that this would be the only path to moderation, and that the alternative would be civil war.¹⁹⁸ While there were some early successes for

a Palestinian state, it's going to have to be on the basis of what we've now called the Quartet principles. The Quartet principles, of course, are enshrined in the roadmap.' Ibid.

¹⁹³ Ibid.

¹⁹⁴ By this stage, discussion of the Roadmap centered mainly on Phases One and Two, in response to Abbas' declaration in early 2007 that the Palestinians would explicitly forgo the 'transitional' Phase Two of the Roadmap. Specifically, he stated that: 'We have also noted to Minister Rice our decision to end any temporary or transitional solutions including a state with temporary borders because we do not believe it to be a realistic choice that can be built upon.' See: US Department of State, "Press Availability With Palestinian Authority President Mahmoud Abbas," Ramallah: 14 January, 2007.

¹⁹⁵ Unsurprisingly, the members of the Quartet released a statement in support of the efforts of Secretary of State Rice after being briefed by her in Berlin. See: US Department of State, "Statement of the Middle East Quartet," Berlin, Germany: 21 February, 2007.

¹⁹⁶ In the years that followed, Fayyad became a central conduit for international assistance to the Palestinian state-building project.

¹⁹⁷ Hamas officials noted that 'the negotiations file is in the hands of Abbas, representing all of us. This is something we did not give even to Arafat. And the movement has committed itself to accepting the implementation of a political agreement that is properly ratified by Palestinian national institutions or a popular referendum, even where such an agreement does not reflect Hamas's own political vision.' See: International Crisis Group, "After Gaza," Crisis Group Middle East Report 68: 2 August, 2007, p. 4.

¹⁹⁸ Khatib, "The Collapse of the Peace Process and the Rise of Hamas ": p. 6.

the NUG, especially those facilitated by Finance Minister Fayyad,¹⁹⁹ overall the international community, and the Quartet in particular, was not openly supportive.

Indeed, the Quartet reaction to the formation of the NUG stated that the 'conditions' remained, and that international assistance to the new Palestinian government would not be forthcoming.²⁰⁰ Specifically, the Quartet members 'reaffirmed' their previous statements regarding the conditions placed on the Palestinian government, and further noted that:

The Quartet agreed that the commitment of the new government in this regard will be measured not only on the basis of its composition and platform, but also its actions. The Quartet expressed its expectation that the unity government will act responsibly, demonstrate clear and credible commitment to the Quartet principles, and support the efforts of President Abbas to pursue a two-state solution to the Israeli-Palestinian conflict...²⁰¹

Thus, at the very moment in which the Palestinians had sought to overcome, through the creation of a National Unity Government, what had arguably been a 'wasted year',²⁰² pressure continued from the Quartet to negate their reconciliation. Ultimately, de Soto concluded that the Quartet 'conditions' on Hamas had delayed the eventual formation of the NUG unnecessarily, and had resulted in a year of Palestinian suffering.²⁰³ As de Soto noted:

...a National Unity Government with a compromise platform along the lines of Mecca might have been achieved soon after the election, in February or March 2006, had the US not led the Quartet to set impossible demands, and opposed a NUG in principle²⁰⁴

According to de Soto, during this period, US officials were still pushing for an outright confrontation between Fatah and Hamas, and noting privately that inter-Palestinian

¹⁹⁹ According to the International Crisis Group, Fayyad persuaded US officials to provide him funds through a PLO account that he controlled. Throughout the next three months, Fayyad secured a \$US10 million contribution from Norway, and funding from Saudi Arabia, Qatar and the UAE that amounted to \$US150 million. See: International Crisis Group, "After Gaza," p. 3.

²⁰⁰ In this regard, the Quartet members noted that they endorsed a further three month extension to the TIM while they 'evaluate the situation.' See: US Department of State, "Statement of the Middle East Quartet."

²⁰¹ Ibid.

²⁰² International Crisis Group, "After Mecca: Engaging Hamas," p. i.

²⁰³ de Soto implored his readers to: 'Please remember this next time someone argues that the Mecca agreement, to the extent that it showed progress, proved that a year of pressure "worked", and we should keep the isolation going. On the contrary, the same result might have been achieved much earlier without the year in between in which so much damage was done to Palestinian institutions, and so much suffering brought to the people of the occupied territory, in pursuit of a policy that didn't work, which many of us believed from the outset wouldn't work, and which, I have no doubt, is at best extremely short-sighted' de Soto, "End of Mission Report," p. 21.

²⁰⁴ Ibid.

violence was a welcome prelude to this eventuality.²⁰⁵ Effectively, the Quartet members, in their efforts to isolate and remove Hamas from power, had not only created the need for a NUG, but they had also delayed its formation and contributed to its eventual collapse.

The Collapse of the National Unity Government and the Battle for Gaza

We differentiate between the situation in Gaza, which is being controlled by a terrorist organization, and the situation in Judea and Samaria, where there is a new, legitimate government that accepts the terms of the international community and goes along with the principle that the final goal is the formation of two nation states.

- Tzipi Livni, Israeli Deputy Prime Minister and Foreign Minister (2006-2009).²⁰⁶

...the Israelis were uncomfortable with the idea of an international gathering (conference, meeting, whatever). Olmert had a long-scheduled meeting in Washington on June 19. Fortuitously, the Palestinian unity government, which had brought together Fatah and Hamas, collapsed less than a week earlier. With Fatah's temporary partnership with Hamas over, Olmert had fewer reasons to object to an international meeting, as long as it wasn't expected to accomplish much.

- Condoleezza Rice, United States Secretary of State (2005-2009).²⁰⁷

The collapse of the National Unity Government led to an unprecedented outbreak of inter-Palestinian violence, and ultimately resulted in the Hamas takeover of Gaza. As the previous section demonstrated, both the Mecca Agreement and the NUG were the products of challenging political circumstances, and both only partly addressed the unresolved issues between the Palestinian factions. Essentially, the failure to redress the absence of genuine political or security power-sharing between the factions eventually contributed to the NUG's disintegration. Exacerbated by an unaccommodating international response, the problems within the National Unity Government proved insurmountable for the Palestinians.

The internal battle for control over the Palestinian security services precipitated the breakdown of the NUG. Hamas sought to bring the Palestinian security forces under the control of the government, rather than the office of the President, and to include the

²⁰⁵ As de Soto noted in his 'End of Mission Report': '...a week before Mecca, the US envoy declared twice in an envoys meeting in Washington how much "I like this violence", referring to the near-civil war that was erupting in Gaza in which civilians were being regularly killed and injured, because "it means that other Palestinians are resisting Hamas."' See: Ibid.

²⁰⁶ Israel Ministry of Foreign Affairs, "Remarks by Foreign Minister Livni in the Knesset on the Political Process with the Palestinians," Jerusalem: 4 September, 2007.

²⁰⁷ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 602.

newly created, Hamas-controlled, Executive Support Forces under this umbrella.²⁰⁸

After the formation of the NUG, when Abbas appointed Mohammed Dahlan as his National Security Advisor,²⁰⁹ a position with expanded powers, it was seen by Hamas officials as an indication that the Fatah was not interested in genuine power sharing.²¹⁰

US funding for the Palestinian security forces controlled by Abbas exacerbated the dichotomy that had developed between the competing factions. Indeed, in January 2007, the Bush Administration approved an \$85 million 'train and equip' program for these forces.²¹¹ According to a US official, the logic of this program was to act as a counterbalance to the rapid expansion of Hamas' security capabilities, especially in Gaza.²¹² Unsurprisingly, Hamas used the source of Fatah's funding to justify their own reinforcements, with assistance from Iran,²¹³ which quickly became more organised and formidable than those of Fatah.²¹⁴ Aware of this imbalance, and adding further to the cycle of escalation, Dahlan sought to use his power and image in Gaza to exaggerate Fatah's security capabilities:

I made a lot of activities to give Hamas the impression that we were still strong and we had the capacity to face them. But I knew in my heart it wasn't true.²¹⁵

Adding to the inter-Palestinian security tensions was the deteriorating fiscal situation in the Palestinian territories. With Israel still withholding tax revenue,²¹⁶ and international humanitarian assistance flowing only through the office of the Palestinian President, the

²⁰⁸ These forces were created in March 2006 by the newly formed Haniya government. International Crisis Group, "After Gaza," p. 7.

²⁰⁹ Dahlan was a vocal opponent of the NUG and of cooperation with Hamas in general. When open conflict broke out in Gaza in June 2007, Dahlan's private residence was one of the first buildings to be looted and set alight. See: *Ibid.*, p. 12.

²¹⁰ *Ibid.*

²¹¹ US Department of State, "Press Availability With Palestinian Authority President Mahmoud Abbas."

²¹² As the official noted in an interview with the International Crisis Group, 'It's not a question of helping Fatah defeat Hamas; it's a question of preventing Hamas from defeating Fatah.' See: International Crisis Group, "After Gaza," p. 8.

²¹³ A Hamas official estimated that in 2007 Iran provided the Hamas security forces with approximately \$120 million in funding. See: Rose, "The Gaza Bombshell."

²¹⁴ As an Israeli official noted in an interview with the International Crisis Group, 'The reality in the Gaza Strip is that there is no way to overcome Hamas by supporting Fatah. Whatever assistance Fatah gets from the U.S. and Dayton or Israel will not change the balance of forces because Fatah lacks motivation, is disorganised, fragmented and corrupt.' See: International Crisis Group, "After Gaza," p. 22.

²¹⁵ Rose, "The Gaza Bombshell."

²¹⁶ The 30 May 2007 Quartet statement noted that 'the resumption of transfers of tax and customs revenues collected by Israel on behalf of the Palestinian Authority would have a significant impact on the Palestinian economy,' and 'encouraged Israel and the Palestinian Authority to consider resumption of such transfers' via the TIM. See: US Department of State, "Joint Statement of the Quartet," Berlin, Germany: 30 May, 2007.

NUG faced a deficit of about 30 percent of its Gross National Product.²¹⁷ The fiscal crisis contributed further to tensions between the Palestinian factions.

In response, on 30 May 2007, the Quartet members expressed their 'deep concern over recent factional violence in Gaza,' and 'strongly condemned the continued firing of Qassam rockets into Southern Israel,' as well as the 'build-up of arms by Hamas and other terrorist groups in Gaza.'²¹⁸ Notably, during this period Israeli authorities had also begun to arrest Hamas parliamentarians on security grounds. In their 30 May statement, the Quartet members noted that 'the detention of elected members of the Palestinian government and legislature raises particular concerns,' and called for them to be released.²¹⁹ By June 2007, as tensions mounted in both Israel and the Palestinian territories, the stage was set for violent confrontation.

The spark that ignited the open conflict between Fatah and Hamas came on 10 June 2007, when Fatah security forces assassinated Muhammad al-Rifati, a prominent Imam from one of Gaza's largest mosques.²²⁰ Hamas used the death of a cleric as a rallying cry for its forces and during the next four days fierce clashes erupted throughout Gaza. Once the violence escalated, events quickly spiralled out of control, and neither group was able to reign in their fighters on the ground.²²¹ By 14 June 2007, Fatah's security forces in Gaza had been defeated methodically and comprehensively by Hamas forces, who demonstrated thorough pre-planning.²²²

Consequently, President Abbas dissolved the NUG, and immediately appointed an 'emergency government,' with Salam Fayyad filling the position of Palestinian Prime Minister. Crucial to Abbas' strategy was the rebranding of the Gaza conflict as an attempted coup by Hamas affiliates. Addressing the PLO Central Council on 18 July, Abbas stated that:

...even the devil cannot match [Hamas's] lies...Nothing can justify the crime of the coup they committed. Hamas is committing capital crimes, bloody crimes against our

²¹⁷ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," p. 15.

²¹⁸ US Department of State, "Joint Statement of the Quartet."

²¹⁹ Ibid.

²²⁰ International Crisis Group, "After Gaza," p. 11.

²²¹ Ibid.

²²² Ibid., p. 13.

people every day, every minute, every hour. There will be no dialogue until they return Gaza to what it was before.²²³

Incongruously, Fatah's security forces immediately engaged in a series of reprisals against Hamas officials and groups throughout the West Bank, in a move designed to consolidate Fatah's hold on that territory.²²⁴ The international community was quick to condemn Hamas, and to support the new Abbas-Fayyad government. On 16 June 2007, after a teleconference, the Quartet members stated that:

The Quartet expressed understanding and support for President Abbas' decisions to dissolve the Cabinet and declare an emergency, given the grave circumstances. The Quartet recognized the necessity and legitimacy of these decisions, taken under Palestinian law, and welcomed President Abbas' stated intention to consult the Palestinian people at the appropriate time. The Quartet noted its continuing support for other legitimate Palestinian institutions.²²⁵

By 18 June, the European Union had labelled the violence in Gaza a 'violent coup perpetrated by Hamas militias',²²⁶ and both it and the United States vowed to re-establish financial assistance with the emergency government.²²⁷ According to Rice, in Abbas and Fayyad, the United States had found 'leaders who will take a responsible course,' and who 'need a way to deal with the unfortunate circumstances that were left by the fact that the international community could not deal with the last government.'²²⁸

Crucially, the new Palestinian government in the West Bank was met with approval and support from the Israeli government.²²⁹ A week later, on 25 June 2007, Abbas and Olmert met for discussions at Sharm el-Sheikh, where the two leaders determined to continue to meet fortnightly.²³⁰ After this meeting, Olmert declared that the Government of Israel would re-establish security cooperation with the Abbas government, resume transfer of Palestinian taxes receipts, and ease movement restrictions in the West

²²³ "Abbas Denounces Hamas, Tells P.L.O. He Will Seek Early Elections," *Haaretz*, 18 July, 2007.

²²⁴ International Crisis Group, "After Gaza," p. 16.

²²⁵ US Department of State, "Statement of the Quartet," Washington, DC: 16 June, 2007.

²²⁶ European Union Council, "Press Release: External Relations," Luxembourg, 18 June, 2007.

²²⁷ In a press conference following the dissolution of the NUG, Rice stated that: 'We intend to lift our financial restrictions on the Palestinian Government, which has accepted previous agreements with Israel and rejects the path of violence. This will enable the American people and American financial institutions to resume normal economic and commercial ties with the Palestinian Government.' See: US Department of State, "Special Briefing by Secretary of State Condoleezza Rice," Washington, DC: 18 June, 2007.

²²⁸ Ibid.

²²⁹ Israeli Prime Minister Olmert made his position on continued bilateral relations between himself and Abbas clear on 18 June when he noted that 'there's no question that I want to talk to the President of the Palestinian community, Mr. Abbas. I will be talking to him. The teams of both sides meet regularly every week and discuss on the matters.'²²⁹

²³⁰ Israel Ministry of Foreign Affairs, "Statement by Prime Minister Ehud Olmert at the Sharm el-Sheikh Summit," Sharm el-Sheikh: 25 June, 2007.

Bank.²³¹ Furthermore, the following month, Israel approved the release of 225 prisoners from Israeli jails, many of whom were members of Fatah.²³²

While the international community reinstated diplomatic and economic ties with Abbas' West Bank government, the opposite trend occurred in the Hamas-controlled Gaza Strip, where diplomatic and economic isolation increased. This situation was compounded when, on 19 September 2007, the Israeli government, in response to continuing rocket fire originating in Gaza, re-designated the Gaza Strip as 'enemy territory.'²³³ Consequently, the IDF began to impose an even stricter series of controls on goods entering Gaza, and halted exports entirely. The so-called 'closure system' resulted in the number of truck-loads of basic goods entering Gaza per month declining from 7,000 in June 2007 to 2,000 by November 2007.²³⁴ Consequently, unemployment in the Gaza Strip skyrocketed.²³⁵

In the aftermath of the collapse of the NUG, and within the context of the solidification of the Gaza-West Bank divide, the Quartet members announced the appointment of former British Prime Minister Tony Blair as the new Quartet envoy. The politics surrounding the nature and the timing of this appointment are the focus of the next section.

The Appointment of Tony Blair as Quartet Representative

The day he left Downing Street, Tony Blair accepted a post as special envoy to help the Palestinians build the institutions of a democratic state. It wasn't glamorous work, but it was necessary. 'If I win the Nobel Peace Prize,' Tony joked, 'you will know I have failed.'

- George W. Bush. United States President (2001-2009).²³⁶

On 27 June 2007, at his own request, former British Prime Minister Tony Blair was appointed as the second Quartet representative.²³⁷ According to Rice, as Blair's time as

²³¹ Ibid.

²³² International Crisis Group, "After Gaza," p. 30.

²³³ Israel Ministry of Foreign Affairs, "Security Cabinet Declares Gaza Hostile Territory," Jerusalem: 19 September, 2007.

²³⁴ International Crisis Group, "Ruling Palestine I: Gaza Under Hamas," Crisis Group Middle East Report 73: 19 March, 2008, p. 1.

²³⁵ A World Bank report issued in December 2007 estimated that unemployment in Gaza was approximately 33 percent, as opposed to approximately 19 percent in the West Bank. See: The World Bank, "Investing in Palestinian Economic Reform and Development," Paris: 17 December, 2007.

²³⁶ Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), p. 409.

²³⁷ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 582.

Prime Minister was coming to an end, he wrote to President Bush asking that the position be created for him:

Blair sent a private note to the President and asked him to share it with me. It asked whether the US would support the creation of a position for him as the Quartet's special representative for Middle East affairs.

'Tony wants to do this, but he doesn't want to step on your toes,' the President told me, standing at his desk in the Oval. I read Blair's letter, which laid out an agenda of strengthening Palestinian institutions. He explained to the President that the United States would have to deliver the negotiated solution. 'It's fine,' I told the President. 'I think we can work together and he can go places and do things that I can't.'

'Like what?' the President asked.

'Go to Gaza,' I answered. The other quartet members quickly came on board with the idea, and Blair was named to the post.²³⁸

Rice's account is illustrative of the dynamics surrounding Blair's appointment. First, Blair's deference to Washington on political matters was an important aspect of his selection. Second, Rice's authority within the Bush Administration on matters pertaining to the Israeli-Palestinian conflict was a key factor in the way in which the United States engaged with the peace process from 2005-2009. Third, the fact that Blair's appointment was decided in Washington and then cleared by the Quartet members speaks volumes about the power dynamics within the grouping.

Tony Blair's mandate as Quartet representative was spelled out by the Quartet members on 27 June 2007. According to this statement, Blair's remit was confined to mobilising international assistance to the Palestinians, supporting institutional reforms within the Palestinian government, developing plans to promote Palestinian economic recovery (importantly including 'private sector partnerships'), building on previously agreed frameworks such as the AMA,²³⁹ and liaising with other countries 'as appropriate in

²³⁸ Ibid.

²³⁹ The mention of the AMA in this context was arguably in response to the criticisms of the AMA process put forward by both former Quartet envoy James Wolfensohn and former Secretary General Kofi Annan in 2006. By 2007 it was clear that the AMA had not been implemented, a point that UNSG Ban Ki-Moon made clear on 20 September 2007: 'It remains a source of great concern that the Agreement on Movement and Access of November 2005 has not been implemented. Exports from Gaza have totalled only a fraction of the agreed targets. Even before the more severe closure of Gaza crossings following the Hamas takeover, many factories had closed and farmers were unable to export crops. No progress has been reported on bus or truck convoys between the Gaza Strip and the West Bank, nor on plans to rebuild the Gaza seaport and airport. The number of the internal closures imposed by the Israeli authorities in the West Bank increased from approximately 400 at the time of the Agreement on Movement and Access, to 532 in August 2007, severely impeding normal economic activity.' See: United Nations Security Council, "Report of the Secretary General on the Question of Palestine," p. 15.

support of the agreed Quartet objectives.²⁴⁰ The Quartet statement also authorised the creation of an 'Office of the Quartet Representative,' to be staffed by a 'small team of experts,' and to be seconded by 'partner countries and institutions.'²⁴¹

Importantly, Blair's appointment occurred within the context of a renewed Palestinian state-building project under the supervision of PM Salam Fayyad.²⁴² In the years that followed, Blair's work, and the work of the Office of the Quartet Representative (OQR), was structured largely around supporting Fayyad's institutional development project in the West Bank.²⁴³ Indeed, despite Rice's surmise at the time of his appointment, Blair did not visit Gaza until 2009.²⁴⁴

While Blair's stated preference for working mainly on institutional reform was striking coming from such a high profile politician,²⁴⁵ the decision demonstrated an understanding of the strong US preference for remaining the primary political interlocutor within the context of the MEPP. Considering that Blair was warned by Wolfensohn about the restrictions he would face without a political mandate, his decision to limit his own portfolio is explained more by pragmatism than a lack of ambition.²⁴⁶ Indeed, according to Khatib, after Blair's appointment, Washington made clear to the Palestinians that he should not be involved in political matters:

²⁴⁰ US Department of State, "Quartet Representative - Quartet Statement," Washington, DC: 27 June, 2007.

²⁴¹ Ibid.

²⁴² The 23 September 2007 Quartet statement encouraged Blair to 'work closely with the Palestinian Authority government in developing a multi-year agenda for institutional and economic development.' See: US Department of State, "Remarks With United Nations Secretary-General Ban Ki-Moon, High Representative for European Foreign and Security Policy Javier Solana, European Union Commissioner for External Relations Benita Ferrero-Waldner, Portuguese Foreign Minister Luis Amado, Russian Foreign Minister Sergey Lavrov, and Quartet Representative Tony Blair," UN Headquarters, New York City: 23 September, 2007.

²⁴³ The OQR was staffed by representatives from the Quartet members, the World Bank, and even staff from non-Quartet members such as Australia. The office also included Palestinian and Israeli staff, and the Head of Mission for the OQR has traditionally been a US diplomat. The funding for the OQR comes from a variety of sources, including UN organisations, the Quartet members, and British taxpayers. See: Abunimah, A., "Why the UN Must Abolish the 'Quartet'," *Al Jazeera English*, 5 October, 2011., and Walker, K., "Blair's £400,000-a-year Bill to Taxpayers: Multi-Millionaire ex-P.M. Enjoys Perks and Pension," *Daily Mail*, 23 August, 2012.

²⁴⁴ McCarthy, R., "Tony Blair Urges Israel to Lift Economic Blockade of Gaza," *The Guardian*, 2 March, 2009.

²⁴⁵ European envoy Marc Otte considered Blair's 'non-political' mandate an unrealistic expectation: 'Well what do you expect a former Prime Minister to do if he's appointed in that position...that he would continuously or slowly go on and remove roadblocks...or improve the passage of people at crossings? That's not something that a former Prime Minister intends to do. Everybody knew that.' Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

²⁴⁶ Wolfensohn, "A Global Life."

When Tony Blair was appointed, he read a few of the records that were written and submitted by Jim Wolfensohn in evaluating his own mission, and one of Wolfensohn's conclusions was that the next envoy should combine the political and the developmental missions. The Americans were strongly against that and I remember that at that point in time, President Bush personally made a phone call to President Abbas, and among other things, told him 'we insist that the political mediation should remain in the hands of the of the Secretary of State,' and that the Quartet envoy shouldn't deal with the same kinds of things.²⁴⁷

Thus, Blair's appointment as the Quartet envoy was *contingent* upon his avoidance of involvement in the peace process, and his focus on economic and institutional matters. Notably, he would later be criticised by Palestinian officials for too closely following this mandate.²⁴⁸

However, while Blair's restrictions concerning the peace process might have seemed a hindrance, they did not prevent him from using his political clout in the region to affect outcomes both within the context of his Quartet role, and also, controversially, within the pursuit of his personal business interests. Regarding the former, as the next chapter demonstrates, Blair used his personal connections with Israeli Prime Minister Netanyahu to affect changes in the Israeli blockade of the Gaza Strip after a flotilla of protestors was met with deadly force by the IDF.²⁴⁹ Regarding the latter, it should be noted that Blair's role as Quartet representative was but one of several roles that he took on after his Prime Ministership, including the formation of the 'Tony Blair Foundation,' and the formation of an investment consultancy firm named 'Tony Blair and Associates.'²⁵⁰ Notably, these differing and somewhat conflicting interests were brought into the public spotlight in 2011, when a letter from Blair to Libyan dictator Muammar

²⁴⁷ Khatib. Interview with the author, Ramallah, Palestinian Territories, November, 2011.

²⁴⁸ In 2011, in the midst of the Palestinian United Nations statehood bid, Palestinian official Nabil Shaath labeled Tony Blair an 'Israeli parrot,' and declared that he had not lived up to initial expectations: 'When he took on the role of Quartet envoy, we thought he would be a real support to the Palestinians. But he gradually reduced his role to that of asking the Israelis to take down a barrier here or a barrier there... He really escaped all the political requirements of his job as representative of the Quartet.' See: Sherwood, H., "Palestinian Leaders Renew Attack on Tony Blair Over Israel," *The Guardian*, 2 October, 2011.

²⁴⁹ According to a UN official, Blair's personal connections with Netanyahu in particular made him a valuable asset for the Quartet members throughout the Obama Administration, when the relationship between Washington and Jerusalem cooled substantially. UN official. Interview with the author, Jerusalem, November, 2011.

²⁵⁰ For an in-depth critique of Tony Blair's post-Prime Ministerial business dealings, including the extent to which they constituted conflicts of interest, see: Cook, J., "Tony Blair's Tangled Web: The Quartet Representative and the Peace Process," *Journal of Palestine Studies* 42, no. 2 (2013).

Gaddafi concerning investment opportunities was found to have used the 'Office of the Quartet Representative' letterhead.²⁵¹

At the time of Tony Blair's appointment, however, these issues were of less concern for the non-US members of the Quartet than his involvement in the wars in Iraq and Afghanistan. Indeed, according to European envoy Marc Otte, Blair's appointment was done 'above the heads of the Foreign Ministers of the EU,' and was a deeply unpopular choice among European representatives to the Quartet.²⁵² As former Jordanian Foreign Minister Marwan Muasher explained, Blair was 'pushed down the throat' of the Quartet by the US representatives and the EU representatives were 'not enthusiastic' because:

They had a high representative, they had Solana, they had Otte, they had the Commissioner, they had the rotating President, and they didn't need another European! And certainly they did not want Blair personally, because of his role in Iraq, which was very unpopular in Europe. So no-one in the European part of the Quartet was happy.²⁵³

While the source of Blair's unpopularity after Iraq may partially explain his motivation to involve himself in the work of the Quartet,²⁵⁴ the fact that such an internally unpopular Quartet representative was subsequently endorsed by the Quartet members was testament to the influence of the United States within the grouping. Furthermore, unlike Wolfensohn, while Blair's appointment was to be 'guided' by the Quartet 'as necessary,' his appointment was essentially open-ended.²⁵⁵

²⁵¹ These documents were uncovered in the aftermath of Gaddafi's popular overthrow in 2011. See: Bloxham, A., "Tony Blair Wrote to Gaddafi 'To Suggest Investment Projects'," *The Telegraph*, 20 September, 2011.

²⁵² Otte. Interview with author, Brussels, November, 2011.

²⁵³ Muasher, M., Former Jordanian Foreign Minister and current Vice President for studies at the Carnegie Endowment for International Peace, interview with the author, Washington, DC, October, 2011.

²⁵⁴ While it is beyond the scope of this thesis to comment on Tony Blair's personal motives in seeking this appointment, Blair himself draws a connection between his work within the context of the MEPP and his involvement in the wars in Iraq and Afghanistan: 'Even out of office, playing now a wholly different role, I am still engaged in the same struggle that gave rise to the events I shall describe. When I say I think about Iraq and Afghanistan and their consequences and their victims every day of my life, it is true; but more than that, I use that reflection to recommit to a sense of purpose in the bigger affair, a business yet unfinished. I cannot, by any expression of regret, bring to life those who died; but I can dedicate a large part of the life left to me to that wider struggle, to try to charge it with meaning, purpose and resolution, and keep my responsibility intact and functioning, in however small or large way. I can't say sorry in words; I can only hope to redeem something from the tragedy of death, in the actions of a life, my life, that continues still.' See: Blair, *A Journey: My Political Life*, p. 373.

²⁵⁵ US Department of State, "Quartet Representative - Quartet Statement."

The Annapolis Process

The prospect of an international meeting on Middle East peace was wildly popular with my colleagues in the Middle East Quartet – both the Russians and the Europeans. My biggest problem was to prevent them from running to the microphones before the President could announce his own meeting. I knew that in preparing the meeting I'd have little trouble with these colleagues. The Arabs would be somewhat harder.

- Condoleezza Rice, United States Secretary of State (2005-2009).²⁵⁶

The collapse of the Palestinian National Unity Government facilitated the launch of the Annapolis process. In a speech on 16 July 2007, President Bush outlined the three-pronged US response to the breakdown of the NUG, designed to 'strengthen the forces of moderation and peace among the Palestinian people.'²⁵⁷ First, the United States had re-established diplomatic and economic ties with the West Bank government.²⁵⁸ Second, the United States had committed to the revitalisation of the political process between Israel and the Palestinians and the continuation of international pressure on Hamas.²⁵⁹ Third, the United States had strengthened its commitment to the Palestinian institutional reform project helmed by Salam Fayyad, and supported by Quartet representative Tony Blair.²⁶⁰ In light of these developments, Bush announced that:

...I will call together an international meeting this fall of representatives from nations that support a two-state solution, reject violence, recognize Israel's right to exist, and commit to all previous agreements between the parties. The key participants in this meeting will be the Israelis, the Palestinians, and their neighbors in the region. Secretary Rice will chair the meeting. She and her counterparts will review the progress that has been made toward building Palestinian institutions.²⁶¹

Thus, Bush had authorised Rice to capitalise on the new dynamic in the Palestinian territories by spearheading a political process between the Israelis and the West Bank government that would be bolstered by support from the international community.²⁶²

²⁵⁶ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 602.

²⁵⁷ US Department of State, "President Bush Discusses the Middle East," Washington, DC: 16 July, 2007.

²⁵⁸ According to Bush, after 'President Abbas expelled Hamas from the Palestinian government' the US had promised to provide the new Palestinian government with \$190 million of economic and humanitarian assistance, authorised international banks to approved \$228 million of loans to the new government, and schedule a further \$80 million of funding for the Palestinian security services. See: Ibid.

²⁵⁹ Bush noted that: '... we will continue to deliver a firm message to Hamas: You must stop Gaza from being a safe haven for attacks against Israel. You must accept the legitimate Palestinian government, permit humanitarian aid in Gaza, and dismantle militias. And you must reject violence, and recognize Israel's right to exist, and commit to all previous agreements between the parties.' See: Ibid.

²⁶⁰ Ibid.

²⁶¹ Ibid.

²⁶² An anecdote relayed by Rice in *No Higher Honor* illustrates the authority bestowed upon her by President Bush to lead the Annapolis process: 'Finally, on Sunday night, I got the pieces into place, and on Monday the president sent the invitation. Olmert hit the roof when he saw it, saying that there were references to the Saudi Peace initiative that he hadn't approved. He called the President, who didn't want

The key to this international support was the cooperation of the other members of the Quartet, and of regional actors. Indeed, despite the Annapolis process being led by the United States, the non-US members were frequently briefed by Rice, and were publicly supportive of her efforts.²⁶³

Nevertheless, at the time of Bush's announcement, the exact format and goals of Annapolis were yet to be determined, with US officials only certain that it would be a 'meeting,' rather than a 'conference.'²⁶⁴ According to Rice, in the months following the 16 July speech:

...there was little agreement about what [Annapolis] would do, and we were determined not to send out any invitations until everyone had privately agreed to come. Several times the whole thing seemed in danger of coming apart.²⁶⁵

The regional context fuelled concerns among the Annapolis organisers and attendees alike that the meeting may end in a public failure that would be difficult to recover from.²⁶⁶ Indeed, Prime Minister Olmert and President Abbas both faced difficult domestic situations that made political concessions at Annapolis extremely problematic.

For Olmert, the failures of the 2006 Lebanon war had been politically costly, and maintaining control over the Kadima party in the absence of the unifying figure of Sharon had proved difficult. In the lead-up to the Annapolis conference, two key partners in his governing coalition threatened to withdraw their support for Olmert if he made concessions at the meeting on issues such as Jerusalem or the Palestinian refugees.²⁶⁷ For Abbas, the breakdown in the NUG and the division of both the Palestinian government and territory had left him presiding over a dysfunctional and

to undermine me. "Talk to Condi," the President told him.' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 605.

²⁶³ The 20 July 2007 Quartet statement noted: 'The Quartet welcomed President Bush's July 16 statement renewing U.S. commitment to a negotiated two-state solution, and supported President Bush's call for an international meeting in the fall. The Quartet looks forward to consultations as the meeting is prepared. The Quartet agreed that such a meeting should provide diplomatic support for the parties in their bilateral discussions and negotiations in order to move forward on a successful path to a Palestinian state.' See: US Department of State, "Quartet Statement Following July 19 Meeting," Washington, DC: 20 July, 2007.

²⁶⁴ According to Rice, as she and Steve Hadley began to discuss the Annapolis process with President Bush, he noted his preference that it be called a meeting, rather than a conference. Ostensibly, this semantic distinction would help the gathering sound 'less grandiose.' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 601.

²⁶⁵ Ibid., p. 603.

²⁶⁶ According to Rice, Saudi officials relayed their concerns that if Annapolis were to fail, there might be a similar outbreak of violence to the one that followed the Camp David. See: Ibid., p. 604.

²⁶⁷ These parties were 'Israel Our Home' (*Yisrael Beiteinu*), and the ultra-orthodox 'Shas' party. With total members in the Knesset of 11 and 12 members respectively, the withdrawal of these parties from Olmert's government would have been disastrous. See: International Crisis Group, "The Israeli-Palestinian Conflict: Annapolis and After," Middle East Briefing 22: 20 November, 2007, p. 7.

bankrupt government.²⁶⁸ Central to Abbas' strategy to combat Hamas in the aftermath of the NUG collapse was the notion that he remained the only Palestinian leader capable of delivering a negotiated agreement with the Israelis, even if the implementation process for any such agreement remained uncertain.²⁶⁹ Adding to Abbas' domestic problems was the awkward reality that he was now willing to negotiate with the Israelis, but not with his fellow Palestinians.²⁷⁰ Thus, while Abbas and Olmert were compelled to secure diplomatic victories at Annapolis, both also faced serious political consequences should the meeting fail.

Despite these challenges, Olmert and Abbas continued their bilateral meetings,²⁷¹ and by November 2007 they had come to an arrangement with Rice over the format of what was by that stage being called a 'conference.'²⁷² Unsurprisingly, as the first international peace conference since Madrid, many actors on the international scene lobbied the Bush Administration for an invitation to Annapolis,²⁷³ and by the time the invitations were sent out, the conference had over 50 attendees.²⁷⁴

The conference as Annapolis, Maryland took place over three days,²⁷⁵ and the format of the event reflected the Bush Administration's strategy of garnering international support for a process of bilateral negotiations mediated by the United States. As Rice noted, Annapolis would:

...discipline the Europeans and Arabs by highlighting *bilateral* negotiations, but giving these other players some pride of ownership and some responsibility. We could pursue increased support for building the institutions of a Palestinian state, particularly from the Arabs.²⁷⁶

²⁶⁸ While donors continued to provide funding to the West Bank government through the TIM, more institutionalised funding mechanisms had yet to be re-established. In an effort to address the ongoing fiscal crisis in the West Bank, an international donor's conference was convened in Paris following the Annapolis meeting.

²⁶⁹ International Crisis Group, "The Israeli-Palestinian Conflict: Annapolis and After," p. 4.

²⁷⁰ As former Quartet envoy James Wolfensohn noted: '...we have an added difficulty in that we don't have two parties now, we have three. And one with whom neither of the other two wishes to deal.' See: Smootha, "All the Dreams We Had Are Now Gone."

²⁷¹ Israel Ministry of Foreign Affairs, "PM Olmert Meets With P.A. President Mahmoud Abbas," Jerusalem: 10 September, 2007.

²⁷² See: US Department of State, "Announcement of Annapolis Conference," Washington, DC: 20 November, 2007.

²⁷³ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 616.

²⁷⁴ US Department of State, "Announcement of Annapolis Conference."

²⁷⁵ The opening of the conference was preceded by the Israeli announcement that 450 Palestinian political prisoners would soon be released. See: Israel Ministry of Foreign Affairs, "Notification in Respect to the Release of Palestinian Prisoners," Jerusalem: 20 November, 2007.

²⁷⁶ [Emphasis in original] Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 601.

Consequently, on 26 November, Bush hosted Olmert and Abbas for separate bilateral meetings (after which Rice briefed her colleagues in the Quartet), before a dinner to which all attendees were invited.²⁷⁷ On 27 November, Bush, Olmert and Abbas opened the 'official' proceedings of the conference, and a formal lunch was followed by several plenary sessions that involved speeches from the various attendees, and ended with the parties announcing that they had reached a 'joint understanding.'²⁷⁸ On the final day of the conference, Bush hosted Abbas and Olmert for a second round of bilateral meetings at the White House.

The joint understanding reflected the nature of the political constraints faced by both Olmert and Abbas, and was essentially an agreement to engage in further negotiations. These negotiations would continue to take place fortnightly, with the aim to conclude a final status agreement before the end of 2008.²⁷⁹ Importantly, the joint understanding included a commitment by the parties to 'immediately implement their respective obligations under the performance-based road map,' with the success of this process to be 'judged by the United States.'²⁸⁰ Thus, the accommodation reached at Annapolis between Abbas and Olmert was to negotiate a 'shelf agreement,' which dealt with the final status issues but which would not be implemented until each side had completed their Phase One Roadmap obligations. The logic of this approach was that each side could make compromises within the negotiations, knowing that any agreement reached would not become valid until the conditions of the Roadmap had been met. Furthermore, if an agreement could be reached, the prospect of a final resolution to the conflict could be used by both sides to motivate their constituencies to meet their Roadmap commitments. As Olmert explained:

The most important thing in the joint statement...is that any future arrangement and agreement will be operationally subject to fulfilling all of the Roadmap commitments, including all of its stages and outlines. In other words, Israel will not have to carry out

²⁷⁷ The Quartet statement released on the evening of 26 November 2007 simply expressed support for the Annapolis conference, and urged the international community to provide 'robust support' for the parties to the conflict. See: US Department of State, "Quartet Statement."

²⁷⁸ US Department of State, "Joint Understanding Read by President Bush at Annapolis Conference," Annapolis, Maryland: 27 November, 2007.

²⁷⁹ Notably, this date coincided with the end of the second Bush Administration. Rice stated that: 'If the parties didn't conclude an agreement, everyone would talk about failure. But as I told anyone who asked, the Bush Administration had a deadline anyway. Within a year there would be a new President of the United States, whether an Israeli-Palestinian peace had been brokered or not.' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 613.

²⁸⁰ US Department of State, "Joint Understanding Read by President Bush at Annapolis Conference."

any commitment stemming from the agreement before all of the Roadmap commitments are met.²⁸¹

The danger of the approach adopted at Annapolis, however, was that it relied on both parties having a shared understanding of what was expected in Phase One of the Roadmap, as well as the extent to which each had fulfilled their commitments.

According to the International Crisis Group:

Palestinian Authority officials claim they have implemented some 90 percent of their phase one obligations, pointing to steps they have taken to disarm militias, fight Hamas, rebuild security institutions and so forth. U.S. counterparts consider this a significant exaggeration but nonetheless point out that while the PA has begun a process of implementation, Israel has done virtually nothing. 'You can say the Palestinians are in a grey zone. But Israel's obligations are black and white: did they reopen Palestinian institutions in East Jerusalem? No. Did they dismantle unauthorised outposts? No. Did they freeze settlement activity? No'.²⁸²

The key to this process, as in the original Roadmap implementation period, was effective monitoring. With the United States having taken on the role of 'official monitor' in the post-Annapolis period (despite the Roadmap calling for Quartet monitoring) the question was whether the Bush Administration could overcome the obstacles of Israeli hesitance and Palestinian division. Furthermore, this strategy relied upon the ability of Olmert and Abbas, two weakened leaders, to reach an agreement on the final status issues within this difficult context.

To aid Abbas and Fayyad in this task, on 17 December 2007, an international donor's conference was convened in Paris. Funding was pledged in support of Prime Minister Fayyad's 'Palestinian Reform and Development Plan'²⁸³ by members of the international community over a three year period, with the United States pledging \$555 million, and the European Union pledging EU650 million.²⁸⁴

Ultimately, the Annapolis process was built on the ruins of the Palestinian National Unity Government. As such, both the renewal of Israeli-Palestinian negotiations and the

²⁸¹ Israel Ministry of Foreign Affairs, "PM Olmert and FM Livni Report to Cabinet on Annapolis Conference," Jerusalem: 2 December, 2007.

²⁸² See: International Crisis Group, "The Israeli-Palestinian Conflict: Annapolis and After," p. 6.

²⁸³ Fayyad's plan had six key components: garnering international support and legitimacy for the West Bank government; restoring the security services; improving the West Bank economic conditions; reducing Israeli security measures; rebuilding Palestinian institutions (while bypassing those controlled by Hamas in Gaza), and; reviving a credible peace process. See: International Crisis Group, "After Gaza," p. 16.

²⁸⁴ The total pledges amounted to \$7.7 billion over three years, which was \$2.1 billion more than the Palestinians requested. International Crisis Group, "Ruling Palestine II: The West Bank Model?," Crisis Group Middle East Report 79: 17 July, 2008.

international efforts to bolster the West Bank government led by Abbas only served to further entrench the political and geographic divisions in the Palestinian territories. Consequently for Abbas, future efforts to reconcile the Palestinian factions jeopardised both the state-building project, and the continuation of bilateral relations with Israel. As a UN official noted:

No-one has yet come up with a way to have a peace process where the United States, Israel, the Palestinian Authority and Hamas are all in it. Basically the choices are: the US, Israel and the PA, or the PA and Hamas and not the others.²⁸⁵

Equally, the continuation of the bifurcated system of government in the Palestinian territories undermined the credibility of the Palestinian national movement, and violence between Israel and militants in Gaza was both distracting and destabilising.

Ultimately, this predicament can be traced back to the international response, led by the Quartet members, to the Hamas election victory in 2006. While the Quartet members were unable to affect the outcome of the PLC elections, their subsequent decision to seek the removal of Hamas through a strategy of isolation and de-legitimisation scuttled both Abbas' normalisation agenda, and his later attempts to form a unity government. Furthermore, when the Palestinian factions sought to de-escalate their mounting tensions and to end the Palestinian fiscal crisis through the formation of the NUG, the Quartet members were unsupportive of their efforts, still preferring the removal of Hamas to its co-option.

In the end, not even open conflict between the Palestinian factions resulted in the removal of Hamas from the Palestinian equation. The physical quarantine of the movement in the Gaza Strip remedied neither the causes of the Palestinian division, nor the fundamental issues separating the Israelis and the Palestinians. In the period that followed, efforts to negotiate a final status agreement between the Israelis and the Palestinians were scuttled by the continuation of the factors that had marked the events of 2006 and 2007. Establishing the role of the Quartet members within the attempts to overcome these factors from 2008-2011 is the focus of the next chapter.

²⁸⁵ UN official. Interview with the author, Jerusalem, November, 2011.

Chapter Eight: The Post-Annapolis Period, 2008-2010

Well, clearly, since Hamas took control of the Gaza Strip, we adopted a dual strategy. And when I say 'we,' I mean the international community and, of course, the United States of America, Israel, and the pragmatic leaders in the Palestinian Authority. The idea is to work with diplomatic leaders, to try and reach a peace treaty with them, while simultaneously working in order to delegitimize Hamas as a terrorist organization and to find an answer to these terror attacks coming from the Gaza Strip to Israel.

- Tzipi Livni, Israeli Deputy Prime Minister and Foreign Minister (2006-2009).¹

As long as Hamas is shunned, as long as peace talks are intended to further marginalize it, Hamas will perceive an alliance between Abbas and Israel as a mortal threat and react accordingly.

- Robert Malley and Hussein Agha.²

Introduction

The post-Annapolis period was marked by the deterioration of Israeli-Palestinian negotiations and the entrenchment of the Palestinian political and geographic divide. For the members of the Quartet, this period was largely characterised by unsuccessful efforts to reverse both of these interrelated trends. The period began with international support for the conclusion of a final status agreement between the Israelis and Palestinians, and ended with efforts merely to re-establish bilateral contact between these same parties. Ultimately neither the parties to the conflict nor the members of the Quartet were able to escape the adverse conditions for peace making created in the preceding period, and the prospects for negotiated solution to the Israeli-Palestinian conflict diminished further. Consequently, so too did the outputs of the Quartet.

This chapter seeks to answer the question, *what were the outputs of the Quartet in 2008, 2009 and 2010?*

It argues that in the post-Annapolis period, the members of the Quartet acted largely in support of US efforts to advance Israeli-Palestinian bilateral relations, but that the prevailing political and economic circumstances in both Israel and the Palestinian territories ultimately reduced the efficacy of these efforts. Specifically, this chapter argues that the geographic and political division of the Palestinian territories resulted in an 'extra-constitutional' situation that undermined the credibility of both the Palestinian

¹ Israel Ministry of Foreign Affairs, "Joint Press Conference With FM Livni and US Secretary of State Rice," Jerusalem: 5 March, 2008.

² Malley, R. and Agha, H., "Into the Lion's Den," *The New York Review of Books*, 1 May, 2008.

institutional reform process and the Israeli-Palestinian negotiations process.

Furthermore, security crackdowns and structural changes in Gaza and the West Bank cemented the dichotomisation of the Palestinian government structure, and reduced the incentives for Palestinian re-unification moving forward.

Despite the efforts of both President Abbas and Prime Minister Olmert to insulate their bilateral track from the deteriorating security situation in Gaza, by the end of 2008 both the negotiations process and the fragile Israeli-Hamas ceasefire crumbled. The subsequent Israeli bombardment and incursion into Gaza known as 'Operation Cast Lead' paralysed the members of the Quartet, who were unable to form a common position.

The beginning of new political administrations in both Israel and the United States further compounded this situation. While the Obama Administration came into office intent on engaging with the Israeli-Palestinian conflict, the Netanyahu government immediately distanced itself from the post-Annapolis process. Indeed, both administrations sought to differentiate themselves from the efforts of their predecessors, but this took them in opposite directions. Furthermore, US efforts to return the Israelis to a negotiations framework were met with Palestinian resistance, and from 2008 onwards both parties were either unwilling or unable to resume meaningful bilateral negotiations.

Throughout this period, the Quartet members continued their efforts to isolate the Hamas government in Gaza and to promote the West Bank government headed by Abbas and Prime Minister Fayyad. This included support for the Israeli-Palestinian bilateral process, and for the Palestinian state-building project. Ultimately, even when the Quartet members acted in support of an engaged US Administration in promotion of these processes, the constraints arising from regional circumstances that had been created in the preceding years proved to be inescapable.

This chapter is divided into three chronological sections that explore the outputs of the Quartet members within the context of the Middle East peace process in 2008, 2009 and 2010. The 2008 section examines the entrenchment of the Palestinian division, and the circumstances that led to the breakdown in both the Israeli-Palestinian negotiations process and the Hamas-Israel ceasefire. The 2009 section examines the fallout from operation 'Cast Lead,' and explores the changing political dynamics within the context

of the Middle East peace process that emerged after the beginning of the Netanyahu and Obama Administrations respectively. Finally, the 2010 section discusses the US attempts to re-establish Israeli-Palestinian negotiations through intensive 'shuttle diplomacy,' and explores the emerging trend towards an internationalised Palestinian national strategy.

2008: The Post-Annapolis Negotiations

There is a constant dynamic which is very difficult. How do you pacify and manage the situation in Gaza, ensure that the civilian population there can lead a normal life, and maintain security between Israel and Gaza, without treating Hamas as a legitimate separate government of a separate entity? And how can you do this without undermining the Palestinian Authority, and without removing the incentives for Palestinian reconciliation on positive terms? That's a constant dilemma that the international community faces, whether it's the Quartet or anyone else.

- United Nations official.³

The post-Annapolis political process between Olmert and Abbas was designed to produce a negotiated 'shelf agreement' between the parties by the end of 2008. According to the joint agreement reached at Annapolis, this process was to be bolstered by both Palestinian economic and institutional reform in the West Bank, and by the implementation by both parties of their Phase One Roadmap commitments, as determined by US monitors.⁴ Accordingly, on 10 January 2008, the White House announced the appointment of General William Fraser to the post of Roadmap monitor, where he would coordinate a trilateral information sharing process with the parties to the conflict.⁵ Crucially, Fraser's findings concerning Israeli and Palestinian adherence to their Roadmap commitments were not to be shared publically, essentially reducing his role in the region to that of a 'prodding agent.'⁶ Furthermore, by linking only the *implementation* of any peace agreement to the fulfilment of the Phase One Roadmap commitments, the Annapolis agreement freed the parties from the constraints of meeting

³ UN official. Interview with the author, Jerusalem, November, 2011.

⁴ As President Bush noted at the Annapolis conference, 'Unless otherwise agreed by the parties, implementation of the future peace treaty will be subject to the implementation of the road map.' See: US Department of State, "Joint Understanding Read by President Bush at Annapolis Conference," Annapolis, Maryland: 27 November, 2007.

⁵ The White House, "Press Briefing by National Security Advisor Stephen Hadley on Israeli-Palestinian Peace Process " Dan Panarama Hotel, Jerusalem: 10 January, 2009.

⁶ According to White House National Security Advisor Stephen Hadley, General Fraser's mission was to be 'another prodding agent, if you will, on the ground. See: "Bush Names General to Monitor Mideast 'Road Map'," *Reuters*, 10 January, 2008.

these requirements during the negotiations process.⁷ Ironically, the delay in meeting the Phase One Roadmap commitments, especially regarding Israeli settlements and Palestinian violence, both facilitated and later impeded the negotiations process.⁸

The 'shelf agreement' strategy relied on two key assumptions. Firstly, it relied on the ability of Olmert and Abbas to insulate their ongoing discussions from the continued humanitarian and security crisis in the Hamas-controlled Gaza Strip, especially during periods of escalating violence between Hamas and the IDF. Secondly, the strategy relied on the assumption that both Olmert and Abbas, in the face of mounting domestic political pressures, would actually be able to reach an agreement on the final status issues. As this chapter demonstrates, neither of these assumptions proved correct.

Ultimately, a marginalised Hamas was able to act as both a distraction from and spoiler of the political process between Abbas and Olmert. The divided and dysfunctional Palestinian Authority machinery reduced Abbas' capacity to make the political compromises necessary to reach a final status agreement on contentious issues. Equally, Olmert's domestic political situation reduced his ability to negotiate free from constraint, and, as his Prime Ministership came to an end, reduced Abbas' incentives to sign an agreement that might be undone by the next Israeli Prime Minister.

The Entrenchment of the Palestinian Division

The Palestinians cannot embrace Hamas as part of their community but must reject Hamas, because they need to realize there is no hope for Hamas. Hamas is the enemy of Israel, Hamas is the enemy of the Palestinians and Hamas is the enemy of the free world that is seeking peace.

- Tzipi Livni, Israeli Deputy Prime Minister and Foreign Minister (2006-2009).⁹

In the aftermath of Hamas' takeover of Gaza, in June 2007, both the Abbas government in the West Bank and the Haniyah government in the Gaza Strip sought to consolidate their respective positions. This process continued in 2008, and encompassed competing institutional, economic and security reforms that solidified the division of the Palestinian territories, and reduced the prospects for re-unification. As one UN official

⁷ As US Secretary of State Rice noted, if the parties negotiated an agreement dividing the territory, then 'we can stop having the discussion about what's a settlement and what isn't.' See: US Department of State, "Print Roundtable with US Secretary of State Rice," Washington, DC: 7 January, 2008.

⁸Crucially, in 2009 and 2010, the Palestinian leadership sought to reverse this approach, calling for a freeze in Israeli settlement activity as a *precondition* to restarting negotiations.

⁹ Israel Ministry of Foreign Affairs, "Kassams in Sderot: Remarks to the Press by F.M. Livni," Jerusalem: 10 February, 2008.

noted, the fracturing of the Palestinian Authority executive office from its legislative mechanism resulted in an 'extra constitutional' situation whereby two opposing Palestinian governments both presented themselves as legitimately elected authorities.¹⁰

After Abbas dismissed Hamas Prime Minister Haniyah, effectively ending the National Unity Government, the Palestinian Basic Law required the Palestinian Legislative Council (PLC) to approve a new government.¹¹ With the PLC controlled by Hamas in Gaza, Abbas established his new government in the West Bank by presidential decree alone, appointing the unelected Salam Fayyad as a caretaker Prime Minister. With the Hamas government unable to have legislation signed into law by Abbas, and the West Bank government unable to write new legislation, both administrations were acting outside of any existing legal or constitutional framework.¹² Within this legal vacuum, each side sought to assert their authority and challenge the other's.¹³

In the West Bank, the Abbas government sought to compensate for its disputed legal foundations by pursuing economic and political outcomes, ostensibly to offer an appealing alternative model to the Gaza Strip. The two pillars of this approach were the institutional reform process led by Fayyad, and the ongoing negotiations between Abbas and Olmert.

In 2008, bolstered by international donor support, Fayyad oversaw growth in the construction sector, a rise in West Bank GDP, and minor reductions in poverty and unemployment.¹⁴ However, despite physical and political barriers, the Gaza economy and the West Bank economy remained linked, and a World Bank report concluded that Fayyad's economic reforms were not capable of overcoming either the ongoing impact of the Israeli closure system in the West Bank, or the relative decline in the Gaza

¹⁰ UN official. Interview with the author, Jerusalem, November, 2011.

¹¹ For an in-depth discussion of the Palestinian legal and institutional quagmire following June 2007 see: Brown, N., "What Can Abu Mazen Do?," *Carnegie Endowment for International Peace*, 15 June, 2007.

¹² Technically, legislation enacted by the PLC automatically becomes law after two months, even without a Presidential signature, but the Hamas courts refrained from applying those laws in order to 'maintain unity.' See: International Crisis Group, "Round Two in Gaza," *Crisis Group Middle East Briefing 24*: 11 September, 2008, p. 11.

¹³ In Gaza, Hamas legislators continued to meet and discuss legislation, even allowing their absent West Bank colleagues to vote via proxy. In contrast, in the West Bank the Fatah PLC members did not continue to meet in an official capacity, but instead formed unofficial committees to monitor government behavior. See: *Ibid*.

¹⁴ International Crisis Group, "Ruling Palestine II: The West Bank Model?," *Crisis Group Middle East Report 79*: 17 July, 2008, p. 19.

economy.¹⁵ The West Bank administration continued to put economic pressure on Hamas, denying them revenue by declaring a tax holiday across Gaza,¹⁶ and privately channeling funds to Fatah-affiliated public servants in Gaza.¹⁷

In the security sector, the Abbas government launched a concerted campaign to reduce the operational capabilities of Hamas and the Al-Aqsa Martyrs Brigade in the West Bank, aided in part by US Security Coordinator General Keith Dayton.¹⁸ This included the arrests of thousands of Hamas affiliates, and increased levels of cooperation with Israeli security services.¹⁹ Furthermore, Abbas granted military courts jurisdiction over civilians, and also granted formal arrest power to the West Bank Preventative Security Organisation.²⁰ However, the West Bank security operations were complicated by both the perception of PA collusion with Israel,²¹ and by the difficulties of factional crackdowns in the absence of meaningful progress in the negotiations process.²² Indeed, with no control over the situation in Gaza, Abbas was unable to provide either political or security guarantees to Israel outside of the West Bank.

¹⁵ The World Bank report noted that the 'formation of the Caretaker Government in mid-2007, and the resumption of aid have reversed the impacts of the aid boycott in 2006 and 2007, but only partially. Real GDP was negative in the first half of 2007 but began to recover in the West bank during the second half. Because of the situation in Gaza, real GDP growth in 2007 is estimated to be about 0 percent, which given the rapidly growing population indicates falling per capita income. The contributing effects of the closures and movement restrictions cannot be overestimated.' See: The World Bank, "Implementing the Palestinian Reform and Development Agenda," 2 May, 2008.

¹⁶ International Crisis Group, "Ruling Palestine I: Gaza Under Hamas," Crisis Group Middle East Report 73: 19 March, 2008, p. 3.

¹⁷ The West Bank government continued to pay the wages of around 75,000 Palestinian Authority salaries in the Gaza Strip. These payments were made directly into individual bank accounts, thus subverting any attempts by the Hamas government to re-appropriate the funds. See: International Crisis Group, "Round Two in Gaza," p. 13.

¹⁸ The position of United States Security Coordinator to the Palestinian Authority was established in 2005 in response to Mahmoud Abbas assuming the Palestinian leadership after the death of Yasser Arafat. Originally headed by Lieutenant General Kip Ward, the USSC was responsible for overseeing the reforms of the PA security services called for in the Roadmap. In 2006 General Dayton assumed the role, and in the aftermath of the breakdown of the NUG, the USSC worked to bolster the capabilities of the West Bank security forces to both combat internal security challenges, and to oversee joint exercises with the IDF. For an in-depth discussion of this process, see: International Crisis Group, "Ruling Palestine II: The West Bank Model?," pp. 3-34.

¹⁹ Ibid., p. 4.

²⁰ Ibid., p. 29.

²¹ Despite improvements in the Palestinian security forces in dealing with insurgencies and preventing terrorist attacks, the IDF maintained its extensive checkpoint system throughout the West Bank, and continued to make incursions into Palestinian territory. These operations embarrassed the Palestinian security services, and strengthened the perception that the Abbas government was helping to perpetuate the occupation. See: Ibid., p. 12.

²² According to a Palestinian policeman in the West Bank, 'People who work in the security services read the same political map everyone else does. Negotiations aren't going anywhere, the situation on the ground is worse than ever, and people are talking about the end of the PA. In this context you cannot go after your own'. See: Ibid., p. 17.

In the Gaza Strip, the international and Palestinian Authority boycott created a power vacuum that Hamas filled. In response to ongoing financial sanctions from the international community, and restrictions on revenue collection imposed by the West Bank government, Hamas created and oversaw an 'informal economy' in Gaza.²³ The Gaza economy was kept afloat by the public sector salaries paid by the West Bank government, humanitarian aid and salaries from organisations such as UNRWA, foreign funding from regional sponsors such as Iran, and profits from the smuggling trade conducted through tunnels between Gaza and Egypt.²⁴ In particular, the tunnel system allowed Hamas to collect tariffs on goods passing through, and to acquire arms and other items prohibited by the Israeli blockade.²⁵ With around 33 percent of the Gaza population unemployed, and with Israel tightening restrictions on goods entering the territory, the humanitarian crisis deepened.²⁶ Compounding this situation, revenue collected by the Hamas government was used predominantly to bolster the security services and to pay salaries and ministerial expenses, with the bulk of the humanitarian assistance being paid by the international donor community.²⁷

In the security sector, Hamas divided its Executive Force into three separate branches; the Civil Police, the Internal Security Forces, and the National Security Forces.²⁸ In addition, Hamas transformed the Qassam Brigades from a guerilla organisation into an official uniformed military force, and used this force to establish hegemony over competing armed groups within Gaza.²⁹ Despite having total control over the internal security environment in Gaza, Hamas was either unable or unwilling to reign in armed factions firing rockets into Southern Israel.³⁰ Ostensibly, these rockets were in response

²³ International Crisis Group, "Round Two in Gaza," p. 14.

²⁴ See: International Crisis Group, "Ruling Palestine I: Gaza Under Hamas," pp. 16-20.

²⁵ By June 2008 there were an estimated 500-600 tunnels between Egypt and Gaza, and Hamas authorities had created a 'Tunnel Administration' within the Interior Ministry to oversee the construction of tunnels and the collection of taxes on tunnel operators. See: International Crisis Group, "Round Two in Gaza," p. 14.

²⁶ The World Bank, "Implementing the Palestinian Reform and Development Agenda."

²⁷ During this period the nature of international aid to Gaza moved from developmental to entirely humanitarian. Furthermore, in the aftermath of the Hamas takeover, various donor organisations were forced to scale back programs dealing with construction or that relied on strong institutional contacts with Hamas. See: International Crisis Group, "Ruling Palestine I: Gaza Under Hamas," p. 4.

²⁸ The Civil Police maintained Gaza's internal security, the Internal Security Forces operated as an intelligence organisation, and the National Security Forces acted as a border patrol. See: *Ibid.*, p. 9.

²⁹ For example, on 25 July 2008 the Qassam Brigade launched a brutal crackdown on the prominent and powerful Hillis Family in the Gaza Strip, including numerous gruesome public executions, in response to the family's alleged involvement in bombing attack that killed five field commanders of the brigade. See: International Crisis Group, "Round Two in Gaza," p. 2.

³⁰ Ironically, Hamas found it difficult politically to restrain or disarm militant factions operating on the Gaza-Israeli border who argued that their weapons caches and rocket fire were in response to the Israeli

to the ongoing Israeli blockade of Gaza, and in the first six months of 2008 approximately 2,278 rockets were launched into Israel.³¹ Israeli officials made it clear that any rocket fired from Hamas-controlled territory would be attributed to Hamas.³² Consequently, Israeli incursions into Gaza were frequent during this period, and the IDF extended its security buffer zone deep into the territory.³³

Ongoing rocket fire originating in Gaza weakened Abbas' ability to continue the negotiations process, and frictions between the competing Palestinian governments over this issue complicated reconciliation attempts.³⁴ Furthermore, on 30 January 2008, Abbas declared that Palestinian unity would continue to depend on Hamas ending its 'coup' in Gaza, accepting 'all international obligations' and agreeing to hold early elections.³⁵

In essence, the possibility of progress towards Palestinian unity continued to rely on Hamas' adherence to the Quartet's conditions. Moreover, as this section has demonstrated, both Palestinian governments had altered their economic and security institutions to reflect the geographic and political divisions between them, and this entrenchment established power dynamics within these territories that would need to be undone in any future unity agreement. Ironically, by each deepening their domestic political control, the Palestinian factions had reduced the incentives for re-unification, which would inevitably require a dilution of this power. In the absence of unity, however, Hamas was unable to ease its fiscal and humanitarian crisis, and Abbas was unable to reduce rocket fire from Gaza. As the next sections demonstrate, these dynamics had an ongoing effect on the Israeli-Palestinian negotiations process.

occupation. Furthermore, rocket fire originating in Gaza was a key source of resistance to the Israeli blockade. See: International Crisis Group, "Ending the War in Gaza," Crisis Group Middle East Briefing 26: 5 January, 2009, p. 11.

³¹ Ibid., p. 3.

³² On 17 March 2008 Israeli Deputy Prime Minister Livni stated: 'I don't believe that we have to check which particular organization every terrorist belongs. Hamas bears responsibility for what is happening in the Gaza Strip.' Israel Ministry of Foreign Affairs, "FM Livni Responds to No-Confidence Motion Submitted in the Knesset," Jerusalem: 17 March, 2008.

³³ According to the International Crisis Group, by the end of 2007, 17 percent of Gaza and 35 percent of its agricultural land was inside the Israeli buffer zone. See: International Crisis Group, "Ruling Palestine I: Gaza Under Hamas," p. 2.

³⁴ As the next section discusses, on 5 March 2008, Abbas declared that he would not continue negotiating until Israel and Hamas reached either a truce or a ceasefire. See: Issacharoff, A., "Jerusalem Official: Peace Talks May Resume as Early as Thursday," *Haaretz*, 5 March, 2008.

³⁵ Ravid, B., "Abbas Rejects Talks With Hamas on Control Over Gaza-Egypt Border," *Haaretz*, 30 January, 2008.

The Gaza Ceasefire and the Israeli-Palestinian Negotiations

There will be no peace unless terror is stopped, and terror will have to be stopped everywhere. We made it clear to the Palestinians; they know it, and they understand that Gaza must be a part of the package, and that as long as there will be terror from Gaza it will be very, very hard to reach any peaceful understanding between us and the Palestinians.

- Ehud Olmert, Israeli Prime Minister (2006-2009).³⁶

Negotiations are not an excuse to stop fighting terrorism just as terrorism is not an excuse to stop negotiating.

- Tzipi Livni, Israeli Deputy Prime Minister and Foreign Minister (2006-2009).³⁷

For Olmert and Abbas, the key challenge of the post-Annapolis period was insulating the bilateral negotiations process from both the deteriorating situation in Gaza, and from their respective domestic political circumstances. This section demonstrates that despite their best efforts, these processes were ultimately inseparable.

The final status negotiations were conducted on two levels, and the topics of discussion at each meeting were deliberately kept private by both parties to the conflict.³⁸ At the lower level, Israeli Deputy Prime Minister Livni negotiated with Palestinian officials Ahmed Qurei (Abu Ala) and Saeb Erekat.³⁹ At the upper level, Olmert negotiated with Abbas.⁴⁰ Both levels of negotiations addressed the final status issues dividing the Israelis and the Palestinians, and progressed on the basis that nothing would be considered agreed until everything was agreed.⁴¹

³⁶ Israel Ministry of Foreign Affairs, "Joint Press Conference With Prime Minister Olmert and President Bush " Jerusalem: 9 January, 2008.

³⁷ Israel Ministry of Foreign Affairs, "FM Livni Responds to No-Confidence Motion Submitted in the Knesset."

³⁸ On 14 January 2008 Israeli Deputy Prime Minister Livni explained the logic of this approach: "The ongoing negotiations between Israel and the Palestinians are not secret, but are being conducted quietly. Past experience proves that when negotiations are conducted in the lights of the cameras, this results in the adoption of more extreme positions, the distortion of what is said in the negotiating room, the raising of expectations, followed by disappointment and violence. Faced with a choice between headlines and daily drama as opposed to results - I choose results.' See: Israel Ministry of Foreign Affairs, "FM Livni on Negotiations with the Palestinians," Jerusalem: 14 January, 2008.

³⁹ Documents later published in the 'Palestinian Papers' surrounding the negotiations during this period show that Israeli representatives Tal Becker and Alon Bar were also present during these meetings, as was Palestinian representative Salah Ilayan. See: The Palestinian Papers, "Meeting Minutes: Ahmed Qurei, Saeb Erekat and Tzipi Livni: 27 January 2008," *Aljazeera Transparency Unit*, January, 2011.

⁴⁰ In a 2009 interview, Olmert noted that: 'From the end of 2006 until the end of 2008 I think I met with Abu Mazen [Abbas] more often than any Israeli leader has ever met any Arab leader. I met him more than 35 times. They were intense, serious negotiations.'⁴⁰

⁴¹ US Department of State, "Quartet Press Statement," New York City: 15 December, 2008.

In parallel to these negotiations, both parties began to meet with the US Roadmap monitor, General Fraser, to discuss their progress on implementing their Phase One Roadmap commitments.⁴² As discussed previously, both parties continued to interpret these commitments differently, a situation exacerbated by the recent events in the Palestinian territories. For example, Livni noted in a 28 January 2008 meeting with Fraser that the Roadmap did not differentiate between different Palestinian territories, and that the Palestinian security reforms contained in Phase One of the Roadmap 'must be applied to the Gaza Strip as well.'⁴³ Thus, despite the increased security coordination between Palestinian and Israeli forces in the West Bank, Abbas was being held accountable for the security situation in the Gaza Strip, over which he then had no control.

The issue of Israeli settlements was equally problematic. As discussed previously, Phase One of the Roadmap called for a total settlement freeze, including natural growth within settlements, but the Israeli reservations to the Roadmap had rejected this interpretation.⁴⁴ On 9 January 2008, Olmert stated that the issue of settlements in Jerusalem was not open to discussion, and that while his government agreed to a freeze on the *expansion* of settlements, there would be no freeze on growth *within* existing settlements.⁴⁵ According to Rice, the US response was to 'raise with the Israelis the importance of creating an atmosphere that is conducive to negotiations of the final status agreement,' and to provide guarantees to the Palestinians that settlement activity would not be allowed to 'prejudice the final status negotiations.'⁴⁶

By March 2008, tensions between Hamas and Israel could no longer be quarantined from the negotiations process. An IDF strike in Gaza, ostensibly to foil a 'high profile attack in Israel,' prompted a barrage of rockets from Hamas, which in turn produced

⁴² Israel Ministry of Foreign Affairs, "FM Livni Meets with US Envoy Gen. William Fraser," Jerusalem: 28 January, 2008.

⁴³ Ibid.

⁴⁴ The text of the Roadmap stated: 'Consistent with the Mitchell Report, GOI freezes all settlement activity (including natural growth of settlements).' See: US Department of State, "A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict," Washington, DC: 30 April, 2003. The ninth Israeli reservation positioned the settlements as a final status issue that would be decided on through an agreement between the parties. See: Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap," Jerusalem: 25 May, 2003.

⁴⁵ Israel Ministry of Foreign Affairs, "Joint Press Conference With Prime Minister Olmert and President Bush ".

⁴⁶ US Department of State, "Joint Press Availability with Palestinian President Mahmoud Abbas," Ramallah: 4 May, 2008.

further Israeli reprisals.⁴⁷ For Olmert, Israeli freedom to retaliate against Hamas was inherent in the post-Annapolis process.⁴⁸ Conversely, for Abbas, continued negotiations during escalating violence between Israel and fellow Palestinians had become too politically damaging. On 5 March 2008, he announced that he would freeze the bilateral process until a truce was reached in Gaza.⁴⁹ On the same day, however, Abbas was persuaded by Rice to reverse his position, a decision met with derision by Hamas officials.⁵⁰ Despite agreeing to continue negotiations, Abbas did not stipulate when this would occur. Indeed, it was not until 5 April 2008 that Olmert and Abbas were able to reach agreement to conduct further meetings. These meetings did not take place until early May.⁵¹

With Israel unwilling to ease the Gaza closure system, and Hamas unwilling (and possibly unable) to end rocket fire in response to that system, cross border violence continued. During this period, Olmert's domestic political standing continued to decline,⁵² and on 17 March 2008 the Israeli Knesset tabled a motion of no confidence in his government.⁵³ Crucially, as domestic pressure mounted on Olmert, Livni increasingly took charge of the negotiations process.⁵⁴

On 2 May 2008, the Quartet members issued their first statement since December 2007, largely in support of Rice's upcoming trip to the Middle East, and the renewal of the negotiations process. The statement encouraged further advancement in the bilateral track, noted 'deep concern over humanitarian conditions in Gaza,' and urged Israel to

⁴⁷ Israel Ministry of Foreign Affairs, "Cabinet Communique," Jerusalem: 2 March, 2008.

⁴⁸ In a meeting with his cabinet on 16 November 2008, Olmert declared that: 'When the diplomatic negotiations began, we made it clear that they would not, in any way, be conducted at the expense of our right to defend the residents of Israel against the intolerable actions of the terrorist organizations... The more that Hamas is hit, the greater the chances of reaching a diplomatic agreement and peace.' See: Ibid.

⁴⁹ Issacharoff, "Jerusalem Official: Peace Talks May Resume as Early as Thursday."

⁵⁰ Hamas spokesman Fawzi Barhoum criticised Abbas' reversal, stating that 'Abu Mazen [Abbas] is a weak man, who couldn't protect the Palestinian people. America and Israel don't take him into account, but only use him as a tool to pass their plans on the Palestinians.' See: Ibid.

⁵¹ The Associated Press, "Erekat: Abbas, Olmert to Meet Monday to Review Negotiations," *Haaretz*, 5 April, 2008.

⁵² A series of corruption scandals originating in Olmert's time as the Mayor of Jerusalem from 1993-2003 gradually came to dominate the Israeli domestic political discourse during his time as Prime Minister. Olmert's credibility and standing declined accordingly, and the setbacks in the peace process compounded this issue. In 2012, Olmert was acquitted of two charges of corruption but convicted of another. A fourth trial is ongoing at the time of writing. For a summary of the key charges, see: "Ehud Olmert: Corruption Allegations," *BBC*, 24 September, 2012.

⁵³ Israel Ministry of Foreign Affairs, "FM Livni Responds to No-Confidence Motion Submitted in the Knesset."

⁵⁴ On 1 May 2008, she briefed the Quartet members on the state of Israeli-Palestinian discussions, and argued in favour of Israel's dual strategy of combating violence in Gaza while continuing final status negotiations. See: Israel Ministry of Foreign Affairs, "FM Livni Briefs World Leaders on Israel's Stance on Terrorism, Negotiations," Jerusalem: 1 March, 2008.

allow the provision of essential services to Gaza 'without obstruction.'⁵⁵ The statement also called for Israel to 'freeze all settlement activity including natural growth,' and to dismantle the outputs erected since March 2001.⁵⁶

Quartet inactivity during the preceding period could be explained by both the active US role in the post-Annapolis process, and the continued divisions within the grouping relating to the issue of Hamas. Tellingly, on 23 April 2008, the United States announced that Roadmap monitor General Fraser had been appointed as the head of the United States Transportation Command, a position that would require him to return to the United States later in the year.⁵⁷ For the second time, official US monitoring of the Roadmap process was terminated after a matter of months.

On 4 May 2008, Livni responded to the Quartet statement, noting that only the *implementation* of the final status agreement would be contingent on Israel meeting its Roadmap requirements and that natural growth within settlements would continue in the meantime.⁵⁸ Crucially, despite the members of the Quartet and Rice continuing to raise the Roadmap commitments with the parties,⁵⁹ the continuation of the negotiations process effectively superseded these demands.⁶⁰

According to Rice, it was during this visit to the region that Olmert outlined his intention to forge a final status agreement personally with Abbas.⁶¹ In a private dinner at Olmert's residence, he had confided in Rice that while he trusted Livni:

⁵⁵ US Department of State, "Quartet Statement," London: 2 May, 2008.

⁵⁶ The Israeli outposts in the West Bank had yet to be dismantled, despite the insistence of Israeli leaders dating back to Ariel Sharon that these outposts were illegal and would be removed. On 9 January 2008 President Bush, in a meeting with Prime Minister Olmert, stated: 'In terms of outposts, yes, they ought to go. Look, I mean, we've been talking about it for four years. The agreement was, get rid of outposts, illegal outposts, and they ought to go.' See: Israel Ministry of Foreign Affairs, "Joint Press Conference With Prime Minister Olmert and President Bush ".

⁵⁷ See: Katz, Y., "US Road Map Monitor Given New Post - Back Home," *The Jerusalem Post*, 23 April, 2008.

⁵⁸ US Department of State, "Joint Press Availability With Israeli Foreign Minister Tzipi Livni," Jerusalem: 4 May, 2008.

⁵⁹ On 4 May 2008 Rice noted: 'It is my intention to continue to raise Roadmap obligations until the parties have met them.' US Department of State, "Joint Press Availability with Palestinian President Mahmoud Abbas."

⁶⁰ In response, on 15 June 2008, Rice again noted that the United States 'will not consider these activities [settlements] to affect any final status negotiations, including final borders. These are to be negotiated between the parties in accordance with UN Security Council resolutions 242 and 338.' See: US Department of State, "Remarks With Palestinian President Mahmoud Abbas," Ramallah: 15 June, 2008.

⁶¹ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 651.

The problem is that the peace process with Abu Ala [Qurei] isn't going to get it done in time. Israel needs to get an agreement with the Palestinians before you leave office. I want to do it directly with Abu Mazen [Abbas].⁶²

According to Rice, it was clear from their conversation that Olmert had not discussed this plan with Livni,⁶³ and the next day she met privately with Abbas to brief him on the situation, and to secure his cooperation with Olmert's plan.⁶⁴ Importantly, one of Olmert's key requests of Rice was that:

...you won't surprise me by offering other ideas before we've had a chance to talk about them. I'm taking an enormous risk here, and I can't be blindsided by the United States.⁶⁵

In the period that followed, US officials, aided by their Quartet partners, sought to give political coverage to both Olmert and Abbas in order to support their secret discussions. Crucially, US officials were aware of Olmert's prominent domestic political scandals during this period, but had decided to 'ignore the storm clouds and work with the Prime Minister until it was no longer possible to do so.'⁶⁶ Furthermore, Rice had decided to 'intensify my work with Abu Ala and Tzipi to see if we could sync the two negotiating tracks – or at least get them closer.'⁶⁷

Consequently, the trilateral meetings between US, Israeli and Palestinian representatives in early May were followed by further efforts to bolster the West Bank government.⁶⁸ During this period, without mentioning the private process now being carried out between himself and Olmert, Abbas noted that the negotiations process had become a

⁶² Ibid.

⁶³ As Rice noted: 'I started to ask about the relationship between what he was proposing and what Tzipi [Livni] was doing. I felt kind of awkward, because it was pretty clear that he hadn't told her what he was telling me.' See: Ibid.

⁶⁴ The exact nature of Olmert's offer to Abbas will be the focus of the next section. According to Rice's account, Olmert had suggested initially that each leader appoint a trusted official to help draft the agreement, but Abbas had insisted that he conduct the negotiations with Olmert personally. See: Ibid., p. 653.

⁶⁵ Ibid., p. 651.

⁶⁶ Ibid., p. 655.

⁶⁷ Ibid.

⁶⁸ On 13 May 2008, Quartet Representative Tony Blair announced an easing of restrictions on construction in the West Bank, and the extension of the opening hours of the Allenby Bridge, and on 21-23 May 2008, a Palestinian investment conference was held in Bethlehem that culminated in the announcement of \$1.4 billion in funding for the Palestinian Authority. See: International Crisis Group, "Ruling Palestine II: The West Bank Model?," p. 19.

In addition, Rice continued to highlight the leadership credentials of Abbas. On 4 May 2008, she repeated several times that 'President Abbas is the elected president of all Palestinians.' See: US Department of State, "Joint Press Availability with Palestinian President Mahmoud Abbas."

race against time.⁶⁹ Despite the urgency of the negotiations, however, the parties had reportedly yet to begin drafting an actual agreement.⁷⁰ Upon her return from the Middle East, Rice was adamant that the negotiations process was moving forward in a 'serious' manner,⁷¹ and was mindful of the fact that the secret negotiations were making progress.⁷²

On 19 June 2008, the negotiations process was given a further boost by the conclusion of a 'calm' agreement between Israel and Hamas, reached under Egyptian auspices after months of negotiations.⁷³ Crucially, however, the specifics of the agreement remained private and informal, and both parties interpreted their commitments differently.⁷⁴

According to Egyptian sources, the broad outlines of the agreement were:

...the immediate cessation of hostile activities; a limited increase in the amount of goods entering Gaza after three days; and, after ten days, the crossings to be open for all products except materials used in the manufacture of projectiles and explosives. After three weeks, the two sides were to commence negotiations for a prisoner exchange and the opening of the Rafah crossing.⁷⁵

The Israeli interpretation of the agreement, however, stated that the easing of border restrictions was contingent upon a total cessation of rocket fire by all factions in Gaza,⁷⁶

⁶⁹ On 4 May 2008, Abbas declared that: 'We are racing with time in our negotiations. It's like marathon negotiations. We know that the time is very short, but the negotiations that we are conducting are almost on a daily basis, almost on an hourly basis whether with the Israeli side or, as you've noticed, mostly with the American administration because everybody is showing a serious commitment towards that.' See: US Department of State, "Joint Press Availability with Palestinian President Mahmoud Abbas."

⁷⁰ According to Abbas, 'not one single letter had been written yet,' but if the parties were able to reach agreement, then '90 percent' of the work would have been completed, and the final drafting process would not be difficult. See: Ibid.

⁷¹ Rice noted during a press conference following discussions with the parties: '...a lot of analysts aren't in the room with these people when they talk about what it is they're actually doing. I was with them for two-and-a-half hours. I know how seriously they're negotiating. But they're not going to come out and talk in front of the cameras about what it is they're doing. And if they did, the negotiations would be dead on that day.' See: US Department of State, "Press Briefing by Secretary Rice Aboard Air Force One," En Route Andrews Air Force Base, Maryland: 18 May, 2008.

⁷² Rice's later account of the meeting and the press conference illustrated the double-act she was performing at this time: 'After meeting with Abu Ala and Tzipi, I could only point obliquely to the 'seriousness' of the parties. Indeed they were methodically going through the issues and coming to agreement on a few – some of consequence, including the need to negotiate on the basis of the 1967 line with agreed swaps (and, as Tzipi always added, taking into account the population realities on the ground, meaning the settlements). I could, of course, say even less about what Olmert and Abbas were doing. I swallowed my pride as pundits held forth about the empty Annapolis process. *Keep your head in the game and your ego in check*, I told myself. *They don't know what they're talking about.*' Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 656.

⁷³ Israel Ministry of Foreign Affairs, "Humanitarian Assistance to Gaza From 27 Feb 2008 Escalation up to 19 June Calm Understanding," Jerusalem: 18 June, 2008.

⁷⁴ For an in-depth discussion of this process, see: International Crisis Group, "Ending the War in Gaza," p. 17.

⁷⁵ International Crisis Group, "Round Two in Gaza," p. 12.

⁷⁶ As Deputy Israeli Prime Minister Livni noted, Israel would regard any rocket fire originating from Gaza to be the responsibility of Hamas: 'We have one address in Gaza, and that is Hamas. We will not

the end of the smuggling trade, and the safe return of captured Israeli soldier Gilad Shalit.⁷⁷ Consequently, in the six months that followed the 'calm' agreement, sporadic rocket fire continued, and the Israeli closure system remained, with both sides claiming that the other had violated the agreement.⁷⁸ In essence, the conditions that had necessitated a ceasefire in the first place had remained unresolved, and tensions mounted in the period that followed.

On 24 June 2008, the members of the Quartet met on the margins of the 'Berlin Conference in Support of Palestinian Civil Security and the Rule of Law.'⁷⁹ The conference had been designed to provide international support for civil security mechanisms in the West Bank, and was prepared jointly by Germany, the Netherlands, and the United Kingdom.⁸⁰ The Quartet statement expressed 'continuing support for Egyptian efforts to restore calm to Gaza and southern Israel,' and welcomed 'the period of calm that began on June 19.'⁸¹ Furthermore, the Quartet members reaffirmed their support for the Israeli-Palestinian negotiations process, and 'stressed the urgent need for tangible progress towards the shared goal of an agreement by the end of 2008...'⁸²

Importantly, the 2008 deadline for reaching a final status agreement now not only coincided with the end of the Bush Administration, but also with the end of the Israel-Hamas 'calm' agreement. Compounding this situation further, Olmert, under the cloud of criminal investigations into his personal conduct, had recently announced that he would step down from the leadership in September 2008.⁸³ With Abbas' term due to expire in January 2009, the period of negotiations that followed were both urgent and politically problematic.

check who fires a Kassam rocket. Responsibility rests with Hamas.' See: Israel Ministry of Foreign Affairs, "FM Livni: We Will Not Accept a Period of Calm Used to Re-arm," Jerusalem: 18 June, 2008.

⁷⁷ See: Israel Ministry of Foreign Affairs, "Behind the Headlines: Rocket and Mortar Fire Despite Calm in the South," Jerusalem,: 10 December, 2008.

⁷⁸ Overall, there was still a dramatic reduction in the number of rockets fired during this period than in the preceding period. According to Israeli sources, in the six months between the 'calm' agreement and Operation Cast Lead, 362 rockets were fired from Gaza into Southern Israel. This was in contrast to the 2,278 rockets fired in the in the preceding period. See: Ibid.

⁷⁹ It is noteworthy that a successful ceasefire agreement between Israel and Hamas had been concluded five days before a scheduled international conference designed to strengthen Palestinian security capabilities in the West Bank. As the Quartet statement noted, the conference had been a 'timely forum.' See: US Department of State, "Quartet Statement."

⁸⁰ European Union Parliament, "Berlin Conference in Support of Palestinian Civil Security and the Rule of Law," Berlin,: 24 June, 2008.

⁸¹ US Department of State, "Quartet Statement."

⁸² Ibid.

⁸³ See: Dawar, A., "Q&A: Ehud Olmert Corruption Inquiry," *The Guardian*, 30 May, 2008.

Prime Minister Olmert's Peace Deal

Today's context—political, practical, and most of all psychological—may be what is pushing Abbas and Olmert toward a solution, but it also is what may doom it. Olmert and Abbas almost certainly lack the requisite authority and backing to negotiate a historic compromise.

- Robert Malley and Hussein Agha.⁸⁴

On 16 September 2008, Olmert offered Abbas the outlines of a final status agreement, and asked him to sign on the spot.⁸⁵ Abbas refused, and the following day Olmert was replaced by Tzipi Livni as the leader of Kadima.⁸⁶ This section argues that Olmert's impending political demise accelerated his moves to conclude a final status agreement, but also undercut his ability to guarantee its implementation. Consequently, for Abbas, both the delayed nature of a 'shelf agreement' and the certainty of Olmert's departure meant that any compromises the two reached would leave him politically exposed. In essence, both the circumstances in which the offer was presented and the specifics of the offer itself contributed to its failure.

For the members of the Quartet, the options for meaningful involvement within this context were limited, and 'support for the negotiations process' remained the *modus operandi*.⁸⁷ In the aftermath of Olmert's unsuccessful offer, however, the members of the Quartet moved swiftly to preserve the bilateral process and to lay the foundations for a possible deal between Livni and Abbas.⁸⁸

In the lead up to Olmert's offer, the two tracks of Israeli-Palestinian negotiations had diverged further. According to Israeli officials, the tense relationship between Olmert and Livni, and Olmert's desire to conclude an agreement with Abbas at all costs, led to the complete cessation of coordination between the two negotiations teams.⁸⁹

Reportedly, when Olmert eventually presented Abbas with his outline on 16 September, he had not discussed the move with Livni.⁹⁰

⁸⁴ Malley and Agha, "Into the Lion's Den."

⁸⁵ Sheridan, G., "Ehud Olmert Still Dreams of Peace," *The Australian*, 28 November, 2009.

⁸⁶ Ravid, B., "Olmert Formally Submits his Resignation to Peres," *Haaretz*, 21 September, 2008.

⁸⁷ According to UN Secretary General Ban Ki-Moon, during this period the Quartet was 're-invigorated,' and had 'come together in support of the bilateral negotiations conducted by Israel and the Palestinians.' See: United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/63/368-S/2008/612: 22 September, 2008, p. 12.

⁸⁸ This period of Quartet activity is the focus of the subsequent section.

⁸⁹ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," Crisis Group Middle East Report 95: 26 April, 2010, p. 5.

⁹⁰ Ibid.

Olmert had attempted to bolster his offer in August 2008 with the announcement of the release of 200 Palestinian prisoners as a gesture of 'goodwill.'⁹¹ When he met with Abbas on 16 September 2008, he presented several maps and a summary of his key positions on the final status issues.⁹² Crucially, Olmert's offer was neither technical nor detailed, but rather a series of positions on which a final agreement could theoretically be based. According to Rice's account, relayed to her by Olmert, Abbas refused to sign any agreement until he consulted with his experts, and Olmert did not permit him to take any documents.⁹³ According to Olmert, when the two leaders left the meeting:

He (Abbas) promised me the next day his adviser would come. But the next day Saeb Erekat rang my adviser and said we forgot we are going to Amman today, let's make it next week. I never saw him again.⁹⁴

As the meeting itself was both private and unrecorded, the exact nature of Olmert's offer and Abbas' refusal remains unverified. However, subsequent accounts from both leaders confirmed that a number of factors contributed to the failure of this process. In essence, these factors related to both the manner of the offer, and the substance of the offer.

First, timing was a key factor for both leaders. With leadership changes nearing in both the United States and Israel, Olmert's offer was presented as 'final,' and provided little room for Abbas to negotiate specifics.⁹⁵ With both Olmert and Bush essentially 'lame ducks,' the scope for implementation was also narrow.⁹⁶ According to Abbas, had more time been built into the process, further negotiations might have yielded results.⁹⁷

Second, and interrelated, Olmert's offer lacked political credibility. According to Israeli officials, Palestinian representatives were warned by Livni that Olmert was in no position to deliver on his commitments, and that any deal should be concluded with her

⁹¹ Israel Ministry of Foreign Affairs, "Notification on the Release of Palestinian Prisoners," Jerusalem: 18 August, 2008.

⁹² "PA President Abbas, Interview with Al-Sharq Al-Awsat, Ramallah, 22 December 2009 (excerpts)," *Journal of Palestine Studies* 39, no. 3 (2010).

⁹³ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 723.

⁹⁴ Sheridan, "Ehud Olmert Still Dreams of Peace."

⁹⁵ Ibid.

⁹⁶ Rice noted: 'Olmert had announced in the summer that he would step down as Prime Minister. Israel would hold elections in the first part of the next year [2009]. He was a lame duck, and so was the President [Bush].' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 723.

⁹⁷ In an interview on 22 December 2009, Abbas noted that: 'I believe it would have been possible that I go up a little and he comes down a little. It was possible to find a solution.' See: "PA President Abbas, Interview with Al-Sharq Al-Awsat, Ramallah, 22 December 2009 (excerpts)."

once she was Prime Minister.⁹⁸ This account was supported subsequently by Rice, who noted that 'Abbas was told by numerous Israelis, including some of Olmert's closest advisors, that the lame-duck Prime Minister did not have the legitimacy to deliver the deal.'⁹⁹

Political credibility was also a factor for Abbas, whose 'extra constitutional' government was combating not only Hamas in Gaza but also the growing perception that the West Bank administration was beholden to Israel and the United States. As Malley and Agha noted, by the time of Olmert's offer, Abbas spoke as 'President of a hollow Palestinian Authority and chairman of a ghostly Palestinian Liberation Organisation.'¹⁰⁰

Finally, inseparable from the political constraints shaping both Olmert's offer and Abbas' response were the difficulties of the specifics of the proposal itself. Indeed, even divorced from the context in which these details were presented, they remained problematic. The issues of territory, refugees, and security were particularly divisive.¹⁰¹

On the issue of territory, Olmert offered Abbas approximately 94 percent of the West Bank as it then existed, with the remaining six percent (composed of Israeli settlements) to become part of Israel.¹⁰² In return, Olmert offered a corresponding 'swap of land [to the Palestinians] from Israel as it existed before 1967.'¹⁰³ According to Abbas, these swaps would have created a Palestinian territory directly equivalent in size to that contained by the pre-1967 borders.¹⁰⁴ Equal dimensions, however, failed to nullify Palestinian concerns regarding the viability of their future territory. Specifically, the incorporation of Israeli settlements in the West Bank into the state of Israel eroded the

⁹⁸ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 5.

⁹⁹ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 724.

¹⁰⁰ Malley and Agha, "Into the Lion's Den."

¹⁰¹ Olmert's proposal on Jerusalem received very little criticism from Abbas in the aftermath of the breakdown of the negotiations process. According to Olmert's account, he offered Abbas a shared capital in Jerusalem, with the Israelis administering the West, and Palestinians administering the East. The municipal control of Jerusalem would be proportional to population, with an Israeli mayor and Palestinian deputy. Finally, the so-called 'holy basin', composed of sites of religious significance to both Israelis and Palestinians, would be administered by a committee of representatives from Jordan, Saudi Arabia, Israel, Palestine and the United States. See: Sheridan, "Ehud Olmert Still Dreams of Peace."

¹⁰² Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 651.

¹⁰³ Sheridan, "Ehud Olmert Still Dreams of Peace."

¹⁰⁴ Abbas noted in an interview after the offer that '[Olmert] said 100 percent. He would take from this side, and I would take from that side. He presented maps to me. The maps included that he would take the settlements blocs (in the West Bank) in exchange for territories in the north, west, and south of the West Bank, in addition to territories to the east of Gaza.' See: "PA President Abbas, Interview with Al-Sharq Al-Awsat, Ramallah, 22 December 2009 (excerpts)."

territorial contiguity of the future Palestinian state.¹⁰⁵ As Abbas noted, 'I cannot subject my people to an Israeli state and a Palestinian canton.'¹⁰⁶ Furthermore, the notion of conceding Palestinian territory to Israeli settlers was politically problematic for Abbas.¹⁰⁷

Olmert's position on the issue of Palestinian refugees was also challenging for Abbas.¹⁰⁸ According to Olmert, while a compensation fund would be established for Palestinian refugees:

I told [Abbas] I would never agree to a right of return. Instead, we would agree on a humanitarian basis to accept a certain number every year for five years, on the basis that this would be the end of conflict and the end of claims. I said to him 1000 per year.¹⁰⁹

Given the political significance of Palestinian refugee mythologies, the size of the Palestinian Diaspora and Abbas' domestic legitimacy problem within the Palestinian territories, Olmert's refugee formulation was politically unfeasible for the Palestinian president. Indeed, when Rice informed Abbas about Olmert's offer in May 2008, he immediately responded that 'I can't tell four million Palestinians that only five thousand of them can go home.'¹¹⁰ While it may be possible that the two leaders, under different circumstances, might have negotiated new totals based on the same template, Olmert's fixed offer on 16 September 2008 proved to be unacceptable for Abbas.

Finally, the security elements of Olmert's proposal were reportedly both underdeveloped and unpopular with Palestinian representatives.¹¹¹ Specifically, the deal called for a demilitarised Palestinian state, in which Israel retained control over borders and airspace.¹¹² Abbas argued that Israel could not have control as well as peace, and

¹⁰⁵ Exemplifying this notion was Olmert's proposal to join the West Bank to the Gaza Strip with a tunnel that would be administered by Palestinians but remain Israeli territory. See: Sheridan, "Ehud Olmert Still Dreams of Peace."

¹⁰⁶ Abbas, M., "Israel and Palestine Can Still Achieve Peace," *The Wall Street Journal*, 19 September, 2008.

¹⁰⁷ In an op-ed for the Wall Street Journal, Abbas noted that: '[Israel] cannot perpetually and illegally build settlements in the West Bank, particularly in East Jerusalem, and then argue it must keep that territory because of the existing facts on the ground.' See: Ibid.

¹⁰⁸ In his conversation with Rice in May 2008 Olmert noted that the program could not be called 'family reunification,' because 'they have too many cousins; we won't be able to control it.' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 651.

¹⁰⁹ Sheridan, "Ehud Olmert Still Dreams of Peace."

¹¹⁰ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 653.

¹¹¹ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 4.

¹¹² According to Abbas, the key to his discussions with Olmert about security measures was the involvement and approval of the United States: 'First I suggested NATO and Olmert said the Americans wouldn't agree. Then I proposed the European Union and he explained that they couldn't. Then we agreed

later stated that 'partial freedom is a contradiction in terms.'¹¹³ Conversely, for Olmert, Israel's security requirements were paramount, and in his conversation with Rice, he noted that:

I can sell this deal, but not if the IDF says it will undermine Israel's security. That's the one thing no prime minister can survive.¹¹⁴

Thus, with disagreement between two weakened leaders over substantive issues, and no time to develop the proposal further, the 16 September offer ultimately failed. The following day, Olmert was removed as Kadima leader, and on 21 September 2008, he announced his intention to resign as Israeli Prime Minister upon the formation of a new governing coalition by Livni.¹¹⁵ Olmert's resignation reflected his diminished standing in Israel after the 2006 Lebanon war, which had been compounded by both his handling of the Palestinian issue and his response to the global financial crisis.¹¹⁶ Despite being unable to reach a final status agreement with Abbas, Olmert contested the subsequent notion that the post-Annapolis negotiations were comparable to the Camp David process of 2000.¹¹⁷ As Malley and Agha noted, however, comparisons between the two processes were unavoidable, and for Abbas the episode was politically damaging:

After months of talks, Abbas declined a far more concessive Israeli proposal—on the size of the territory for Palestinians, for example—than the one Yasser Arafat turned down eight years ago and for which the then Palestinian leader was excoriated as an implacable enemy of peace.¹¹⁸

Indeed, in the period that followed Olmert's offer, a political narrative emerged in Israeli politics in which Abbas' refusal exemplified the notion of Palestinian *rejectionism*, which was used to discredit the very notion of negotiations. Furthermore, as details of Olmert's offer continued to surface, future final status negotiations were confronted with a post-Annapolis reality: any Israeli leader that offered more than

to the presence of UNIFIL, led by the Americans. President Bush agreed to that, the Egyptians agreed and [Israel] agreed.' See: Issacharoff, A., "Abbas to Haaretz: Peace Possible in 6 Months if Israel Freezes All Settlements," 16 December, 2009.

¹¹³ Abbas, "Israel and Palestine Can Still Achieve Peace."

¹¹⁴ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 651.

¹¹⁵ In the Israeli political system, losing the leadership of one's own party does not automatically remove one from the position of Prime Minister. It does, however, create a powerful political obligation to resign from this position as soon as possible. See: Israel Ministry of Foreign Affairs, "Remarks by President Peres Following Resignation of P.M. Olmert," Jerusalem: 21 September, 2008.

¹¹⁶ Ravid, "Olmert Formally Submits his Resignation to Peres."

¹¹⁷ On 28 November 2009 Olmert argued that: 'The two are not alike. Yasser Arafat never wanted to make peace with Israel. Yasser Arafat was a murderer and a terrorist and remained so until the last day of his life. Abu Mazen [Abbas] wants peace.' See: Sheridan, "Ehud Olmert Still Dreams of Peace."

¹¹⁸ Malley, R. and Agha, H., "Obama and the Middle East," *The New York Review of Books*, 11 June, 2009.

Olmert and any Palestinian leader that accepted less than Abbas would appear weak by comparison.

Preserving the Annapolis Process

While I was disappointed that the Israelis and Palestinians could not finalise an agreement, I was pleased with the progress we had made. Eight years earlier, I had taken office during a raging intifada, with Yasser Arafat running the Palestinian authority, Israeli leaders committed to a Greater Israel policy and Arab nations complaining from the sidelines. By the time I left, the Palestinians had a president and prime minister who rejected terrorism. The Israelis had withdrawn from some settlements and supported a two-state solution. Arab nations were playing an active role in the peace process.

- George W. Bush, United States President (2001-2009).¹¹⁹

...there are a lot easier ways to build a legacy than to try to solve the Palestinian-Israeli issue.

- Condoleezza Rice, United States Secretary of State (2005-2009).¹²⁰

In the midst of political uncertainty in both the United States and Israel, the members of the Quartet sought to codify the bilateral negotiations process, and to preserve the diplomatic momentum of the previous year. These efforts culminated in a 16 December 2008 UN Security Council Resolution that declared the bilateral negotiations to be 'irreversible.'¹²¹ Ultimately, however, both the breakdown in the Hamas-Israel ceasefire and the electoral defeat of Tzipi Livni contributed to the abandonment of the post-Annapolis process.

Efforts to enshrine recent developments in the bilateral track were initially led by Rice, who sought to make the details of Olmert's offer public. According to Rice, however, she was dissuaded by Tzipi Livni, who argued that Olmert 'had no standing in Israel,' and that any offer associated with his Prime Ministership would be politically unpopular.¹²² Consequently, the subsequent US and international strategy was to enshrine the *process* rather than the *outcomes* of the post-Annapolis bilateral negotiations.

¹¹⁹ Bush, G. W., *Decision Points*, 1st ed. (New York: Crown Publishers, 2010), p. 410.

¹²⁰ US Department of State, "Press Conference by Secretary of State Condoleezza Rice," Washington, DC: 21 December, 2007.

¹²¹ United Nations Security Council, "Resolution 1850: The Situation in the Middle East, Including the Palestinian Question," S/RES/1850: 16 December, 2008.

¹²² Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 723.

On 26 September 2008, the Quartet members announced that Rice and Quartet representative Tony Blair had briefed them on the recent outcomes of the bilateral process and the situation on the ground in the West Bank respectively.¹²³ Noting the 'significance' of the negotiations process and the importance of 'confidentiality in order to preserve its integrity,' the statement announced that the parties to the conflict would update the Quartet members at their next meeting.¹²⁴ Tellingly, in the press conference following the Quartet meeting, Tony Blair noted that 'the last thing anyone should ever be in this situation is foolishly optimistic.'¹²⁵

Indeed, during this period, Livni was attempting to form a coalition government amid strong resistance in the Israeli Knesset from Likud leader Benjamin Netanyahu, and on 26 October 2008, she declared that she was unable to do so.¹²⁶ Consequently, Ehud Olmert announced that he would remain the Israeli Prime Minister until the general elections were held in January 2009.¹²⁷ In the period that followed, Israel was led by a discredited and unpopular Prime Minister, while the future of the negotiations process relied on the electoral success of his deputy.

Complicating this situation was the deterioration of the ceasefire agreement between Israel and Hamas. On 4 November, the IDF conducted a military incursion into Gaza to destroy a tunnel allegedly intended for abducting of Israeli soldiers.¹²⁸ Hamas responded with a barrage of rocket fire, and between 4 and 30 November 138 rockets and 153 mortars were launched from Gaza into Southern Israel.¹²⁹ Israel argued that Hamas had been using the ceasefire to amass a more powerful and longer range arsenal, and Hamas argued that the Israeli blockade was slowly killing the people of Gaza.¹³⁰

In the midst of increasing regional tensions, on 5 November 2008, Barack Obama was elected as the next President of the United States. Four days later, the members of the

¹²³ US Department of State, "Quartet Press Availability," New York City: 26 September, 2008.

¹²⁴ The 26 September 2008 Quartet statement also included reiterations of the Quartet's recent position on the Israeli settlement process, and the need for the normalisation of the movement of people and goods into the Gaza Strip. See: US Department of State, "Quartet Statement."

¹²⁵ US Department of State, "Quartet Press Availability."

¹²⁶ Israel Ministry of Foreign Affairs, "FM Livni to President Peres: Not Able to Form a Government," Jerusalem: 26 October, 2008.

¹²⁷ Israel Ministry of Foreign Affairs, "Address by PM Olmert at Opening of Knesset Winter Session," Jerusalem: 27 October, 2008.

¹²⁸ International Crisis Group, "Ending the War in Gaza," p. 4.

¹²⁹ Of the 329 rockets fired from Gaza into Israel during the ceasefire, the period following 4 November accounted for 291. See: United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/64/351-S/2009/464: 15 September, 2009, p. 17.

¹³⁰ International Crisis Group, "Ending the War in Gaza," p. 1.

Quartet met with Abbas and Livni in Sharm el-Sheikh.¹³¹ This meeting was the first time that the parties to the conflict had directly briefed the members of the Quartet, and the subsequent Quartet statement was an attempt at cementing the post-Annapolis process in the aftermath of both the US and Israeli elections.¹³² On 9 November 2008, the Quartet declared that the parties had reached a 'mutual understanding on the principles governing their negotiating process.' Specifically, these principles were:

The need for continuous, uninterrupted, direct, bilateral negotiations;

The principle that nothing would be considered agreed until everything is agreed;

The need to reach a comprehensive agreement addressing all issues, as agreed at Annapolis, rather than just announce agreement on selected items in isolation.¹³³

For their part, the Quartet members expressed 'commitment to the irreversibility of the bilateral negotiations,' and 'emphasized the importance of the continuity of the peace process.'¹³⁴ Interrelated to the process was the parties' adherence to their Roadmap commitments, which would continue to determine the implementation of any future agreement (as judged by the United States).¹³⁵ In a direct reference to the incoming Obama Administration, Quartet representative Tony Blair noted that:

The single most important thing is that the new administration in the United States grips this issue from day one. And it can do so knowing that there is a foundation upon which we can build.¹³⁶

After the Quartet meeting, Rice noted that while the 'aspirational deadline' of reaching a final status agreement by the end of 2008 had helped to stimulate a 'sense of urgency' in the parties to the conflict, ultimately, the political circumstances had 'intervened.'¹³⁷

In the weeks following the 9 November Quartet statement, the security situation in Gaza continued to unravel.¹³⁸ Within this context, the Quartet members met on 15 December

¹³¹ US Department of State, "Quartet Press Statement."

¹³² US Department of State, "Remarks After the Quartet Meeting," Sharm el-Sheikh: 9 November, 2008. On 7 November, Rice called this Quartet meeting 'unprecedented.' See: US Department of State, "Remarks With Palestinian President Mahmoud Abbas."

¹³³ US Department of State, "Quartet Press Statement."

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ US Department of State, "Remarks After the Quartet Meeting."

¹³⁷ US Department of State, "Remarks With Palestinian Prime Minister Salam Fayyad," Jenin: 8 November, 2008.

¹³⁸ On 11 November, Ehud Olmert declared that the situation between Hamas and Israel was that 'before an unavoidable crash,' and that it was merely a question of 'when' not 'if'. See: Israel Ministry of Foreign Affairs, "PM Olmert: Clash with Hamas Unavoidable," Jerusalem: 11 November, 2008.

2008 and issued a statement condemning the recent 'indiscriminate attacks on Israel,' and calling for an 'immediate cessation of violence.'¹³⁹ Tellingly, the Quartet members also urged Israel to reverse the recent tightening of its Gaza blockade, and to allow for an increase in the provision of humanitarian supplies.¹⁴⁰ Ultimately, however, the purpose of this Quartet meeting was to announce the imminent passage of a UN Security Council Resolution on the Annapolis Process. According to UN Secretary General Ban Ki-Moon, the resolution had been 'conceived by the Russian Federation,' with the other members of the Quartet acting in support, and its purpose was to 'put the international community on record in believing in the irreversibility of the Annapolis process.'¹⁴¹

Indeed, UNSCR 1850, passed on 18 December, encouraged the 'Quartet's ongoing work,' and declared the 'the irreversibility of the bilateral negotiations.'¹⁴² It supported the parties' 'agreed principles for the bilateral negotiating process,' which 'confirm the seriousness of the Annapolis process,' and urged the parties to meet the requirements of the first phase of the Roadmap.¹⁴³ Finally, the resolution called on the international community to support the Palestinian state-building project.¹⁴⁴

The members of the Quartet had pursued collective action through the UN Security Council in an effort to protect the structures established in the post-Annapolis period from both political upheaval and regional violence. Ultimately, however, the post-Annapolis process could be protected from neither. On 18 December 2008, the six month Israel-Hamas ceasefire in Gaza ended officially, and on 24 December Israel's security ministers approved military action to 'bring about a long-term cessation of the

By 16 November Olmert had instructed his Defense Minister Ehud Barak to submit proposals for an 'action plan' to 'restore full quiet in the South.' See: Israel Ministry of Foreign Affairs, "Cabinet Communique."

On 7 December, amid continuing rocket fire from Gaza, Olmert noted that the Israeli response to the situation would not 'show restraint.' Israel Ministry of Foreign Affairs, "Cabinet Communique."

¹³⁹ US Department of State, "Quartet Press Statement."

¹⁴⁰ Ibid.

¹⁴¹ US Department of State, "Remarks with Quartet Members," New York City: 15 December, 2008.

¹⁴² United Nations Security Council, "Resolution 1850: The Situation in the Middle East, Including the Palestinian Question."

¹⁴³ Ibid.

¹⁴⁴ Specifically, the resolution stated that the international community should support a '...Palestinian government that is committed to the Quartet principles and the Arab Peace Initiative and respects the commitments of the Palestinian Liberation Organization, to assist in the development of the Palestinian economy, to maximize the resources available to the Palestinian Authority, and to contribute to the Palestinian institution-building program in preparation for statehood.' See: Ibid.

rocket fire and terror attacks originating in Gaza.¹⁴⁵ The following day, Livni placed a courtesy call to outgoing Secretary of State Rice to inform her of the imminent Israeli offensive in Gaza.¹⁴⁶ On 27 December 2008, the IDF launched operation 'Cast Lead' in the Gaza Strip, and the post-Annapolis process was buried in the rubble.

2009: Operation Cast Lead and Political Deadlock

[President Obama] wants to see a stop to settlements — not some settlements, not outposts, not 'natural growth' exceptions. That is our position. That is what we have communicated very clearly.

- Hillary Clinton, United States Secretary of State (2009-2013).¹⁴⁷

I don't quite understand the American approach. Every new president believes they have to start from square one. If they're lucky they last for eight years, and by the end there is almost peace. But the new administration then starts anew, because they always know best.

- Ehud Olmert, Israeli Prime Minister (2006-2009).¹⁴⁸

The damage to the Israeli-Palestinian bilateral relationship caused by Operation Cast Lead has yet to be fully repaired. The three-week Israeli incursion into Gaza effectively ended the negotiations process, and in the year that followed Israeli and Palestinian leaders met face to face only once.¹⁴⁹ The perceived failures of the Annapolis period were compounded by the destruction of Cast Lead, which led the parties to the conflict to re-evaluate the paradigms of the peace process itself, and Israeli and Palestinian hesitancy to resume negotiations in the absence of guarantees on issues of domestic political importance. Specifically, Palestinians argued that ongoing Israeli settlement construction in the West Bank nullified the outcomes of any future bilateral negotiations process, and must be halted entirely before talks could resume. Additionally, Israelis argued that their deep-seated concerns about the future legitimacy and viability of Israel, exemplified by discussions of the 'Jewish' character of the state, needed to be addressed publicly by the Palestinian leadership prior to the resumption of talks.

¹⁴⁵ Israel Ministry of Foreign Affairs, "Decision of Minister's Committee on National Security," Jerusalem: 24 December, 2008.

¹⁴⁶ According to Rice, the purpose of the call was to give the US pre-warning: 'the Israelis never asked for permission, and we never gave it.' See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 725.

¹⁴⁷ Landler, M., "Israeli Settlement Growth Must Stop, Clinton Says," *The New York Times*, 27 May, 2009.

¹⁴⁸ Sheridan, "Ehud Olmert Still Dreams of Peace."

¹⁴⁹ Under strong US pressure, President Abbas and Prime Minister Netanyahu met in September 2009 on the margins of the United Nations General Assembly. Importantly, this meeting was part of ongoing attempts to restart negotiations, and was not followed by further face-to-face contact.

This predicament was compounded by the introduction of new political administrations in Israel and the United States. Prime Minister Benjamin Netanyahu and President Barack Obama both inherited the consequences of Operation Cast Lead, and both sought to forge new approaches to the Middle East peace process that distinguished them from their predecessors. Consequently, an active and engaged US Administration was paired with a wary and defiant Israeli Administration.

Throughout 2009, the members of the Quartet struggled to react to these developments, issuing only two statements.¹⁵⁰ With the parties unwilling to meet, and with new US envoy George Mitchell working exclusively on re-establishing bilateral connections, the non-US members of the Quartet were again largely sidelined from the process. In essence, the diminished output of the grouping reflected both the degradation of the Israeli-Palestinian relationship and the dominant efforts of the United States to repair it.

Operation Cast Lead

[Operation Cast Lead] proved, if proof were still needed, that President Mahmoud Abbas cannot continue to talk peace with Israel when Israel is at war with Palestinians and that Palestinians cannot make peace with Israel when they are at war with themselves.

- Robert Malley and Hussein Agha.¹⁵¹

Operation Cast Lead had severe political, social and economic ramifications for the population of Gaza, and was politically damaging for Israel. The conflict severely damaged the Israeli-Palestinian bilateral relationship at the leadership level, and further entrenched the Palestinian domestic division. For the members of the Quartet, Cast Lead was a difficult and divisive issue, and the legal and political legacy of the operation affected the work of the grouping. Ultimately, the Gaza conflict was the culmination of years of Israeli and Palestinian frustration, which only increased in the subsequent period.

Operation Cast Lead arose directly from the deficiencies of the June 2007 Israel-Hamas ceasefire. In the six months following the unofficial 'calm' agreement, Israel's blockade of Gaza continued undiminished, Hamas increased its arsenal of rockets and mortars and rocket fire into Southern Israel decreased but did not cease.¹⁵² The ambiguous nature of the ceasefire resulted in both parties feeling aggrieved throughout, and neither

¹⁵⁰ These statements were on 26 June 2009 and 24 September 2009.

¹⁵¹ Malley and Agha, "Obama and the Middle East."

¹⁵² International Crisis Group, "Ending the War in Gaza," p. 1.

desiring a further extension of the prevailing conditions. When the ceasefire lapsed in December 2007, and with neither party willing to renegotiate, open conflict over unresolved issues eventuated. For Hamas, the seemingly indefinite continuation of the Israeli blockade left few options but violent retaliation.¹⁵³ For Israel, easing the blockade in the midst of increasing security concerns was equally problematic, and ongoing rocket fire was a psychological and physical threat that had reached levels that were no longer tolerable. When the ceasefire lapsed, Israel saw an opportunity to reduce the operational capacity of Hamas in Gaza, and Hamas saw an opportunity for raising its domestic and regional profile by openly defying Israel. The goals of both actors determined the events that followed.

The mistakes of the 2006 Lebanon war informed the IDF strategy in Gaza.¹⁵⁴ According to Defence Minister Barak, the target lists and strategic planning for the Gaza incursion had taken place over months, and 'when we embarked on the operation, we did what we had to do.'¹⁵⁵ Furthermore, after facing strong criticism for the maximalist objectives of the 2006 Lebanon war, the objectives for Operation Cast Lead were deliberately restrained.¹⁵⁶ Indeed, the official goals of the operation were:

...to deal a heavy blow to the Hamas terror organization, to strengthen Israel's deterrence, and to create a better security situation for those living around the Gaza Strip that will be maintained for the long term.¹⁵⁷

Notably, there was no official mention of either removing Hamas from power, or of ensuring the safe return of captured Israeli soldier Gilad Shalit.¹⁵⁸ The 'official' success

¹⁵³ A Hamas official in Lebanon argued: 'We didn't really have a choice. It was either die slowly because of the blockade or more quickly due to confrontation. Israel was telling us, "accept the blockade that is killing you". See: *Ibid.*, p. 11.

¹⁵⁴ A former Israeli official noted: '...remember, Barak's real foe is not Hamas. It is the memory of 2006.' See: *Ibid.*, p. 18.

¹⁵⁵ Israel Ministry of Foreign Affairs, "Operation in Gaza: Statement by DM Ehud Barak," Jerusalem: 17 January, 2009.

¹⁵⁶ The Winograd committee on the Lebanon conflict concluded that: 'The Prime Minister is responsible for the fact that...the declared goals were over-ambitious and not feasible. The Prime Minister did not adapt his plans once it became clear that the assumptions and expectations of Israel's actions were not realistic and were not materialising. All of these add up to a serious failure in exercising judgment, responsibility and prudence.' See: Israel Ministry of Foreign Affairs, "Winograd Committee Submits Final Report," Jerusalem: 30 January, 2008.

¹⁵⁷ Israel Ministry of Foreign Affairs, "Operation Cast Lead Expanded," Jerusalem: 3 January, 2009.

¹⁵⁸ Determining the whereabouts of Gilad Shalit remained a high Israeli priority, even if not stated publicly. According to the report of the fact-finding mission on the Gaza conflict, numerous Palestinians captured during the Gaza conflict were questioned by Israeli soldiers about the location of Gilad Shalit. See: United Nations Human Rights Council, "Report of the United Nations Fact-Finding Mission on the Gaza Conflict," General Assembly A/HRC/12/48: 25 September, 2009, p. 26.

of the Israeli operation in Gaza, therefore, was dependent on reducing the capabilities of Hamas as both an organisation and as a strategic threat.¹⁵⁹

Hamas adopted a three pronged response to Operation Cast Lead. Firstly, they sought to thwart Israeli efforts to curb rocket fire by continuing to launch attacks in Southern Israel both during and after the conflict.¹⁶⁰ Secondly, Hamas military operatives sought to draw Israeli soldiers into densely populated areas that had been prepared for counter attacks.¹⁶¹ Finally, in the midst of the Israeli incursion, Hamas operatives sought to solidify their domestic control over factional rivals.¹⁶² In essence, Hamas' strategy throughout Operation Cast Lead was to defy the wishes of Israel irrespective of material losses, and to cultivate an image of steadfastness in the face of a more powerful and capable enemy.

Operation Cast Lead began on 27 December 2007 with a weeklong bombardment of targets in the Gaza Strip, which was followed by a two week ground offensive.¹⁶³ Throughout this period Hamas launched rockets into Southern Israel 'almost continuously,' and was still firing ten to twenty rockets daily by the time of the unilateral ceasefire on 18 January 2008.¹⁶⁴ While the exact totals vary among sources,¹⁶⁵ by the end of the conflict approximately 1,300 Palestinians had been killed with 5,300 injured, and 14 Israelis had been killed with approximately 530 injured.¹⁶⁶

For the members of the Quartet, Operation Cast Lead was a divisive issue. As mentioned previously, the Quartet members were unable to form a common position on the situation in Gaza either during the conflict itself, or in the months that followed. Indeed, the Quartet silence from 15 December 2008 until 26 June 2009 was the second

¹⁵⁹ Crucially, the IDF was later found to have employed a broad definition of what constituted Hamas infrastructure, and targeted both civilian and Palestinian Authority institutions that had little connection to Hamas, and no connection to military or security threats. See: *Ibid.*, pp. 133-41.

¹⁶⁰ A former Israeli foreign ministry official summarised this tactic: 'There was no war. Hamas sat in its bunkers and came out when it was all over to resume firing up to twenty rockets per day and attack Israeli soldiers at the crossings. After the killing of 1,300 people, nothing changed.' See: International Crisis Group, "Gaza's Unfinished Business," *Crisis Group Middle East Report* 85: 23 April, 2009, p. 21.

¹⁶¹ *Ibid.*, p. 3.

¹⁶² *Ibid.*, p. 4.

¹⁶³ International Crisis Group, "Ending the War in Gaza," p. 4.

¹⁶⁴ International Crisis Group, "Gaza's Unfinished Business," p. 3.

¹⁶⁵ The UN fact-finding mission on the Gaza conflict noted that 'statistics about Palestinians who lost their lives during the military operations vary. Based on extensive field research, non-governmental organizations place the overall number of persons killed between 1,387 and 1,417. The Gaza authorities report 1,444 fatalities. The Government of Israel provides a figure of 1,166.' See: United Nations Human Rights Council, "Report of the United Nations Fact-Finding Mission on the Gaza Conflict," p. 17.

¹⁶⁶ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," p. 18.

longest period without an official Quartet statement in the history of the grouping.¹⁶⁷

While the length of this delay could be explained partially by the period of foreign policy re-adjustment following the introduction of the Obama Administration, throughout the conflict itself the Bush Administration had remained in office.

According to an UN official, during this period the Quartet members attempted to form a common position on many occasions, but ultimately could not reach agreement on the issue of the sequencing of any military drawdown.¹⁶⁸

Ironically, the diplomatic isolation of Hamas had left the international community with little leverage over the Gaza administration, and after Israel announced its ground invasion on 2 January 2009, efforts to halt the violence intensified.¹⁶⁹ Given the differences of opinion within the Quartet on this issue, it was decided among the members that the most appropriate forum for further discussions was the United Nations Security Council.¹⁷⁰ The efforts to issue a Security Council resolution on the ongoing violence in Gaza were spearheaded by the UN Secretary General.¹⁷¹

For the United States, the referral of the issue to the UN Security Council was politically problematic. On the one hand, the United States supported Israel's prerogative to protect its borders from outside attacks, especially against Hamas. On the other hand, the deterioration of the humanitarian situation in Gaza and the high level of civilian casualties in Israel's ongoing assault made inaction equally difficult. Thus, Rice

¹⁶⁷ This period totaled 193 days. As mentioned previously, the period of Quartet inactivity following Ariel Sharon's announcement of the disengagement plan (from 26 September 2003 until 4 May 2004) totaled 220 days.

¹⁶⁸ The official noted that there was a difference between inaction and a failure to form a common position: 'Even though the Quartet was not actually issuing statements and having formal meetings, there was still a lot of diplomatic activity going on, but you didn't see any of it, and it wasn't particularly effective, but then each could and would have a different view of what was effective in that situation.' Furthermore, the official described the nature of the Quartet's disagreement during this period: '...essentially you have an American position, with some Europeans in it as well, that argues that the way [Cast Lead] stops is for the terrorist entity involved to stop what it is doing, and that you should not be equating the parties, nor should you necessarily be putting in place an agreement at the end of it. Because the whole point of Hamas is to get equal legitimacy with Israel, and that would allow them to do so. As opposed to the Russians, the other half of Europe and others in the international community who see war and violence and bloodshed and want to stop it immediately...' UN official. Interview with the author, Jerusalem, November, 2011.

¹⁶⁹ Israel Ministry of Foreign Affairs, "Security Cabinet Decision on Continuation of IDF Operation in Gaza," Jerusalem: 2 January, 2009.

¹⁷⁰ UN official. Interview with the author, Jerusalem, November, 2011.

¹⁷¹ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 725.

pursued the dual approach of delaying UN action while privately urging Israeli officials to end the war.¹⁷²

Ultimately, Rice was persuaded to adopt a more proactive approach by Abbas, who argued that he could no longer contain the escalating security situation in the West Bank.¹⁷³ For Abbas, the Gaza conflict was extremely politically damaging, as his previous strategy of bilateral engagement and security cooperation with Israel now appeared at best naïve and at worst disloyal.¹⁷⁴ This impression was exacerbated by Abbas himself, when he made comments at the outset of the conflict that implied Hamas was to blame for the breakdown.¹⁷⁵ Consequently, as the next section demonstrates, in the aftermath of the Gaza conflict, Abbas adopted a more politically uncompromising position on the resumption of negotiations.

With Israel five days into its ground offensive in Gaza, the United Nations Security Council issued Resolution 1860, calling for ‘an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza.’¹⁷⁶ It also condemned ‘all violence and hostilities directed against civilians and all acts of terrorism,’ and called for ‘the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel and medical treatment.’¹⁷⁷ The United States had been integral to the drafting process, even if Rice ‘would have preferred a stronger condemnation of Hamas...’¹⁷⁸ Ironically, despite playing a role in the

¹⁷² Rice later noted that: ‘I called Olmert and tried to get a sense of when he could end the operation. He was noncommittal, saying that he had to wipe out the threat to civilian populations. I told him I’d try to hold off a resolution.’ See: *Ibid.*

¹⁷³ Rice’s subsequent account noted that: ‘My own view had been colored by a call from Abbas, who had begged me for a resolution. “There will be a ‘day of rage’ tomorrow, and I’m not sure we can keep the West Bank quiet. Salam [Fayyad] is very worried.”’ See: *Ibid.*, 726.

¹⁷⁴ According to the findings of the UN fact-finding mission on the Gaza Conflict, there was a sharp rise in the use of force by Israeli security forces against Palestinians in the West Bank during Operation Cast Lead. The report concluded that: ‘A number of protestors were killed by Israeli forces during Palestinian demonstrations, including in support of the Gaza population under attack, and scores were injured. The level of violence used in the West Bank during the time of the operation in Gaza was sustained also after the operation.’ See: United Nations Human Rights Council, “Report of the United Nations Fact-Finding Mission on the Gaza Conflict,” p. 28.

¹⁷⁵ In a television interview soon after the launch of Operation Cast Lead, Abbas stated: ‘I say in all honesty, we made contact with leaders of the Hamas movement in the Gaza Strip. We spoke with them in all honesty and directly, and after that we spoke with them indirectly, through more than one Arab and non-Arab side...We spoke with them on the telephone, and we said to them: We ask of you, don’t stop the ceasefire, the ceasefire must continue and not stop, in order to avoid what has happened, and if only we had avoided it.’ See: International Crisis Group, “Gaza’s Unfinished Business,” p. 14.

¹⁷⁶ United Nations Security Council, “Resolution 1860: Security Council Calls for Immediate, Durable, Fully Respected Ceasefire in Gaza Leading to Full Withdrawal of Israeli Forces,” SC/9567: 8 January, 2009.

¹⁷⁷ *Ibid.*

¹⁷⁸ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 726.

authorship process, the United States eventually abstained from resolution 1860.¹⁷⁹ In Rice's account, she received angry phone calls from both Prime Minister Olmert and Deputy Prime Minister Livni in response to the imminent passage of resolution 1860. When Rice later spoke to Bush, she asked him how she should cast the US vote:

I dialed the President and caught up with him in the White House residence. He'd just heard from the angry Olmert. All of my colleagues were gathered in the Security Council chamber. I knew that everyone would vote yes, and I had, after all, negotiated the resolution. "How do you want me to vote?" I asked the President.

"How do *you* want to vote?" he responded.

"On balance I would vote yes, but I'll certainly understand if you want me to abstain."

"We need to abstain," he said.¹⁸⁰

In the press conference following the passage of UNSCR 1860, Rice awkwardly noted that the US abstention had been to allow Egyptian mediation efforts to further progress before endorsing a resolution that supported these efforts,¹⁸¹ but that the United States fully supported the 'text' and 'objectives' of the resolution.¹⁸²

Ultimately, however, UNSCR 1860 was ineffective in ending Operation Cast Lead, and Olmert challenged the authority of the Council to interfere with Israel's right to self defence.¹⁸³ It was only after ten further days of intense fighting that both Hamas and Israel declared unilateral ceasefires.¹⁸⁴ Crucially, once again, the ceasefire between Israel and Hamas was not based on a formal agreement,¹⁸⁵ and in the period that

¹⁷⁹ Of the 15 votes in the UN Security Council on resolution 1860, there were 14 in favour, and one abstention (US). See: United Nations Security Council, "Resolution 1860: Security Council Calls for Immediate, Durable, Fully Respected Ceasefire in Gaza Leading to Full Withdrawal of Israeli Forces."

¹⁸⁰ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 726.

¹⁸¹ Resolution 1860 encouraged 'tangible steps towards intra-Palestinian reconciliation including in support of mediation efforts of Egypt and the League of Arab States as expressed in the 26 November 2008 resolution, and consistent with Security Council resolution 1850 (2008) and other relevant resolutions.' See: United Nations Security Council, "Resolution 1860: Security Council Calls for Immediate, Durable, Fully Respected Ceasefire in Gaza Leading to Full Withdrawal of Israeli Forces."

¹⁸² US Department of State, "Remarks at the UN Security Council Session on the Situation in the Middle East " UN Headquarters, New York City: 8 January, 2009.

¹⁸³ On 9 January 2009 Israeli Prime Minister Olmert noted that: 'The State of Israel has never agreed that any outside body would determine its right to defend the security of its citizens. The IDF will continue operations in order to defend Israeli citizens and will carry out the missions with which it has been assigned in the operation.' See: Israel Ministry of Foreign Affairs, "PM Olmert's Reaction to Diplomatic Developments & UNSC Resolution 1860," Jerusalem: 9 January, 2009.

¹⁸⁴ Israel Ministry of Foreign Affairs, "Operation in Gaza: Statement by DM Ehud Barak."

¹⁸⁵ In ceasefire negotiations, Hamas had demanded an opening of the crossings, and Israel had demanded the release of Gilad Shalit. Neither was willing to meet the other's demands. See: International Crisis Group, "Gaza's Unfinished Business," p. 27.

followed, reprisals and counter-reprisals continued.¹⁸⁶ Furthermore, Israel and Hamas both claimed victory in the aftermath of the Gaza conflict.

For Hamas, retaining political and security control over Gaza and withstanding an unprecedented Israeli bombardment enhanced the ability of the group to sell its 'resistance' and 'self reliance' credentials.¹⁸⁷ For Israel, both the technical success of the operation and the limitations of the original objectives allowed for a narrative of stunning military success in the aftermath of Cast Lead.¹⁸⁸

Importantly, in the period following Operation Cast Lead, Israeli military tactics in Gaza came under increasing international scrutiny, and allegations of misconduct grew. Calls for an international investigation into the operation eventually led to the 3 April 2009 establishment of the United Nations Fact Finding Mission on the Gaza Conflict, which was charged with investigating 'all violations of international human rights law and international humanitarian law' that might have occurred during the operation.¹⁸⁹

Israel refused to cooperate with the fact-finding mission, and subsequently launched an internal inquiry into the conduct of the Israeli Defence Forces during Cast Lead.¹⁹⁰ This internal inquiry concluded that the IDF had operated entirely within international law.¹⁹¹ Conversely, the report of the UN fact-finding mission, released in September 2009, documented numerous breaches of international and humanitarian law by Israeli forces.¹⁹²

¹⁸⁶ Between 18 January and 23 April 2009, approximately 180 rockets were fired into Israeli territory, resulting in the death of one Israeli. Israeli incursions in Gaza also continued, and during this period 18 Palestinians were killed, and 43 injured. See: *Ibid.*, p.4.

¹⁸⁷ *Ibid.*, p. 6.

¹⁸⁸ Israeli officials noted that Hamas was unable to destroy a single tank, down a single helicopter, kidnap a single Israeli soldier or even deploy a suicide bomber to lethal effect. Furthermore, Israeli fortifications in Southern areas and early warning systems resulted in a relatively low death toll in these areas. Thus, the operational aspects of Cast Lead were deemed a success. See: *Ibid.*, p. 19.

¹⁸⁹ The mission was headed by Justice Richard Goldstone, a former judge of the Constitutional Court of South Africa and former Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda. See: United Nations Human Rights Council, "Report of the United Nations Fact-Finding Mission on the Gaza Conflict," p. 13.

¹⁹⁰ By not cooperating with the UN fact-finding mission, the government of Israel also denied access for investigators into Israeli territory, as well as the West Bank. Access to Gaza was only granted by Egyptian authorities through the Rafah crossing. Crucially, this meant that the mission was unable to collect first hand data on Israeli victims of rocket fire, or to speak with Palestinian Authority officials. Participants from these areas instead had to travel to Geneva, where their testimonies were collected by the mission. See: *Ibid.*, p. 15.

¹⁹¹ See: Israel Ministry of Foreign Affairs, "IDF: Conclusion of Investigations into Claims in Operation Cast Lead-Part 1," Jerusalem: 22 April, 2009.

¹⁹² See: United Nations Human Rights Council, "Report of the United Nations Fact-Finding Mission on the Gaza Conflict."

While the politics surrounding of the release of the UN fact-finding report are examined later in this section, the exact nature of the findings warrant further explanation here. First, despite Israeli arguments to the contrary,¹⁹³ the report established that the indiscriminate firing of rockets into civilian territory by militants in Gaza had constituted a war crime by these actors.¹⁹⁴ Second, the report concluded that Hamas operatives 'unnecessarily exposed the civilian population of Gaza to danger' by launching attacks from heavily populated areas.¹⁹⁵ Importantly, the conclusions of the UN fact-finding mission pertaining to the conduct of the IDF throughout Operation Cast Lead established the extent of the Israeli destruction of Palestinian infrastructure. This had long-term ramifications for the people of Gaza, and was crucial to understanding the subsequent deterioration of the Israeli-Palestinian relationship.

Specifically, the report concluded that Israeli forces deliberately and criminally targeted Palestinian Authority infrastructure, and justified these attacks by arguing that political and administrative institutions in Gaza were part of the ' Hamas terrorist infrastructure.'¹⁹⁶ Furthermore, the report concluded that non-government and civilian infrastructure was similarly destroyed by Israeli strikes, with no clear connection to Israeli security concerns.¹⁹⁷ The nature of Israeli attacks on industrial infrastructure such as food production, water installations, sewage treatment plants and housing led the UN mission to conclude that the IDF was implementing a deliberate and systematic policy of destruction in these cases.¹⁹⁸ In addition, the report documented numerous instances of Palestinian civilians being used by Israeli soldiers as human shields,¹⁹⁹ and criticised the use of phosphorous munitions by the Israeli military in heavily populated urban environments.²⁰⁰

¹⁹³ Israel Ministry of Foreign Affairs, "MFA Briefing to the Foreign Press on the Goldstone Report," Geneva, Switzerland: 1 October, 2009.

¹⁹⁴ The report concluded that: 'Given the seeming inability of the Palestinian armed groups to direct the rockets and mortars towards specific targets and given that the attacks have caused very little damage to Israeli military assets, the Mission finds that there is significant evidence to suggest that one of the primary purposes of the rocket and mortar attacks is to spread terror among the Israeli civilian population, a violation of international law.' See: United Nations Human Rights Council, "Report of the United Nations Fact-Finding Mission on the Gaza Conflict," p. 32.

¹⁹⁵ *Ibid.*, p. 18.

¹⁹⁶ In particular, the UN fact-finding mission focused on the destruction of the Palestinian Legislative Council Building and Gaza's main prison. The report concludes that these were not legitimate targets for Israeli military strikes. See: *Ibid.*, p. 17.

¹⁹⁷ In particular, the report examined the shelling of the UNRWA field office on 15 January 2009 with phosphorous munitions, and the attack on al-Quds hospital in Gaza City. See: *Ibid.*, pp. 133-41.

¹⁹⁸ *Ibid.*, p. 22.

¹⁹⁹ See: *Ibid.*, pp. 218-29.

²⁰⁰ *Ibid.*, p. 21.

Revelations concerning the conduct of the IDF throughout Operation Cast Lead were politically damaging for Israel. However, the more profound legacy of the conflict was the institutional and infrastructural devastation of the Gaza Strip. At the time of the 18 January ceasefire, Israeli airstrikes had hit every civil police station in Gaza, the Ministries of Interior, Foreign Affairs, Finance, Public Works, Justice, Education, Labour and Culture, as well as the Prime Minister's office and the parliament.²⁰¹ Civilian infrastructure was also affected deeply, with approximately 4,100 homes destroyed and another 17,000 structures damaged, and total damages to this sector alone estimated at \$10 million.²⁰² With Hamas unable to provide vital services, the humanitarian crisis in the territory worsened, and reconstruction efforts were hampered by continuing Israeli restrictions on goods entering Gaza.²⁰³ Furthermore, with the institutions of government virtually destroyed, future efforts to reintegrate the Gaza Strip into the Palestinian Authority structure were greatly complicated. Thus, at the conclusion of Operation Cast Lead, the human cost was enormous, and this in turn affected the political environment in the years to come.

Political Transition in Israel and the United States

The Israeli government never approved Annapolis, neither the Cabinet nor the Knesset, so anyone who wants to amuse himself can continue to do so. I have seen all the proposals made so generously by Ehud Olmert, but I have not seen any results.

- Avigdor Lieberman, Israeli Foreign Minister (2009-2012).²⁰⁴

Every time a new [Israeli] Prime Minister comes in, we have to start over again. We reinvent the wheel over and over. It's a huge waste of time.

- Palestinian Authority Minister.²⁰⁵

President Obama's inauguration took place on 20 January 2009, two days after the conclusion of Operation Cast Lead, and 21 days before a new Israeli Prime Minister was to be elected. Two days after taking office, Obama gave the first indication of his intention concerning the Middle East peace process.²⁰⁶ On 22 January 2009, he

²⁰¹ International Crisis Group, "Ending the War in Gaza," p. 7.

²⁰² International Crisis Group, "Gaza's Unfinished Business," p. 1.

²⁰³ Ibid., p. 28.

²⁰⁴ This thesis uses the Hebrew spelling of 'Lieberman,' despite the Israeli Ministry of Foreign Affairs employing the Russian version, 'Liberman.' See: Israel Ministry of Foreign Affairs, "Statement By Incoming Foreign Minister Avigdor Liberman at the Ministerial Inauguration Ceremony," Jerusalem: 1 April, 2009.

²⁰⁵ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 9.

²⁰⁶ On 28 May 2009 Obama noted that: '...when I was campaigning for this office I said that one of the mistakes I would not make is to wait until the end of my first term, or the end of my second term, before we moved on this issue aggressively. And we've been true to that commitment.' See: The White House,

instructed incoming Secretary of State Hillary Clinton to appoint George Mitchell as the US envoy for Middle East peace.²⁰⁷ As mentioned previously, Mitchell played a vital role in the authorship of Sharm el-Sheikh fact finding committee report on the causes of the second *intifada*.²⁰⁸ Importantly, one of the key findings of this report was that the Israeli settlements in the occupied territories contributed to the breakdown of the Oslo process, and that all settlement activity, including 'natural growth,' should be frozen immediately.²⁰⁹ According to Vice President Joe Biden, Mitchell's appointment by the Obama Administration sent a 'clear message at home as well as abroad,' that 'we are going to reinvigorate America's commitment to diplomacy.'²¹⁰

Six days later Mitchell departed for the Middle East, meeting with Olmert, Barak, Egyptian President Mubarak, and Abbas.²¹¹ The talks centred on strengthening the ceasefire in Gaza, and coordinating the distribution of humanitarian aid.²¹² Indeed, with the elections in Israel set for 10 February 2009, the Obama Administration had sought to demonstrate its engagement with the peace process, but was waiting to launch any new initiatives.²¹³ However, Clinton made clear on 3 February 2009 that the US position on Hamas would remain unchanged from that of the Bush Administration.²¹⁴ Importantly, while the Obama Administration had inherited membership in the Quartet from its predecessor, it was not clear initially whether it had any intention of continuing

"Remarks By President Obama and President Abbas of the Palestinian Authority in Press Availability," Washington, DC: 28 May, 2009.

²⁰⁷ US Department of State, "Secretary Clinton With Vice President Joe Biden Announce Appointment of Special Envoy for Middle East Peace George Mitchell and Special Representative for Afghanistan and Pakistan Richard Holbrooke," Washington, DC: 22 January, 2009.

²⁰⁸ According to US officials, Mitchell personally wrote the sections of the report concerning Israeli settlements. See: International Crisis Group, "Gaza's Unfinished Business," p. 45.

²⁰⁹ US Department of State, "Sharm El-Sheikh Fact-Finding Committee Report," Washington, DC: 30 April, 2001, p. 5.

²¹⁰ US Department of State, "Secretary Clinton With Vice President Joe Biden Announce Appointment of Special Envoy for Middle East Peace George Mitchell and Special Representative for Afghanistan and Pakistan Richard Holbrooke."

²¹¹ See: US Department of State, "United States is Committed to Israel's Security," Tel Aviv: 28 January, 2009., US Department of State, "Special Envoy Mitchell Meets With Israeli Defense Minister Ehud Barak," Jerusalem: 28 January, 2009., US Department of State, "Special Envoy Mitchell Meets With Egyptian President Mubarak," Cairo, Egypt: 28 January, 2009., US Department of State, "Commitment to a Better Future for all Palestinians," Ramallah: 29 January, 2009.,

²¹² US Department of State, "Remarks by Secretary Clinton and Special Envoy Mitchell After Their Meeting," Washington, DC: 3 February, 2009.

²¹³ Upon Mitchell's return from the Middle East, Secretary of State Clinton noted: 'I'm grateful that [Mitchell] is also making clear to all of the interested parties and sides in the region who are concerned about the fate of the children on both the Israeli and the Palestinian sides of this conflict, that the United States is engaged, that we are determined and committed to working with all who will work in good faith to solve the problems that are obviously afflicting that region.' See: Ibid.

²¹⁴ Clinton noted that: '...we have a very clear policy toward Hamas, and Hamas knows the conditions that have been set forth. They must renounce violence. They must recognize Israel. And they must agree to abide by prior agreements that were entered into by the Palestinian Authority.' See: Ibid.

its involvement with the grouping, especially within the context of public efforts to distance the new government from the Bush years.

For Abbas, the violence of the recent Gaza conflict and the failure of the post-Annapolis negotiations process produced a re-evaluation of the nature of the bilateral relationship with Israel. In essence, Abbas was moving away from the logic of the post-Annapolis process, which had created a space for negotiations through a delayed approach to the issue of Roadmap commitments. Bolstered by a post-Gaza agreement with Hamas to extend his term until January 2010, Abbas sought to reverse this logic, and to pursue a more aggressive negotiations strategy.²¹⁵ Thus, on 17 February 2009, he declared that 'unless settlements are brought to a halt, then talks [with Israel] will be meaningless and useless.'²¹⁶ On 5 March 2009, he went further, adding that 'Israel must completely halt everything relating to settlements and [home] demolitions, otherwise it will be impossible to consider them a partner in the peace process.'²¹⁷ With a new and engaged US Administration, Abbas sought to take advantage of political uncertainty in Israel by strengthening his position on the renewal of talks.

The Israeli election on 10 February 2009 delivered an ambiguous result. With Tzipi Livni's Kadima party securing 28 seats, and Benjamin Netanyahu's Likud party securing 27, both leaders declared victory, and both sought to be the first to negotiate a majority governing coalition.²¹⁸ Ultimately, after weeks of talks, Netanyahu was able to secure a centre-right governing coalition after co-opting the Israeli Labor party, and was sworn in as Prime Minister on 31 March 2009.²¹⁹ With Olmert now retired and Livni assuming the position of opposition leader, all continuity with the post-Annapolis process in both the United States and Israel was severed.

In a clear nod to the politics of his governing coalition, Netanyahu appointed Avigdor Lieberman, controversial leader of the conservative *Yisrael Beiteinu* party, as his

²¹⁵ International Crisis Group, "Gaza's Unfinished Business," p. 32.

²¹⁶ "Abbas: Talks Will be Useless If Settlement Building Doesn't Stop," *Haaretz*, 17 February, 2009.

²¹⁷ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 6.

²¹⁸ Galil, L., "Woody by Kadima and Likud, Lieberman Agrees to More Talks with Livni," *Haaretz*, 11 February, 2009.

²¹⁹ Netanyahu overcame ideological differences between Likud and Labor by offering five ministries to Labor members in his Cabinet, including Defence. The Likud-led coalition included Labour, Yisrael Beiteinu, Shas, United Torah Judaism, and Jewish Home. See: International Crisis Group, "Gaza's Unfinished Business," p. 22.

Foreign Minister.²²⁰ On 31 March 2009, Netanyahu presented an initial approach to the Israeli-Palestinian conflict that essentially mirrored the post-Annapolis process.²²¹ However, he also made clear that the Palestinian issue was a lower priority for his Administration than combating regional threats such as Iran.²²²

The following day, Lieberman noted that the Annapolis process had 'no validity,' and that the only document signed by an Israeli government was the Roadmap document.²²³ Lieberman noted that the sequencing of the Roadmap relied primarily on 'dismantling terrorist organizations, establishing an effective government,' and 'making a profound constitutional change in the Palestinian Authority.'²²⁴

Further illustrating the proactive approach of the Obama Administration, Mitchell immediately revisited the region after the beginning of the Netanyahu government, meeting with Lieberman and Abbas.²²⁵ Ultimately, the early comments from the new administrations in both Israel and the United States had largely maintained the established patterns of the Middle East peace process. In the period that followed, however, as these parties more explicitly outlined their intended approaches to the issue, the differences between them came into sharp relief.

The Politics of 'Pre-conditions'

In May 2009, Abbas and Netanyahu travelled to Washington and met separately with Obama. The dynamics of these meetings were an important indication of the future direction of the Middle East peace process. Firstly, Netanyahu once again emphasised

²²⁰ Israel Ministry of Foreign Affairs, "Statement By Incoming Foreign Minister Avigdor Lieberman at the Ministerial Inauguration Ceremony."

²²¹ The three tracks outlined by Netanyahu were economic development in the West Bank, security cooperation between Israel and the Palestinian Authority, and peace negotiations. See: Israel Ministry of Foreign Affairs, "Incoming PM Benjamin Netanyahu Presents his Government to the Knesset," Jerusalem: 31 March, 2009.

²²² Netanyahu declared that: 'The greatest threat to humanity, and to the State of Israel, stems from the possibility that a radical regime will be armed with nuclear weapons or that nuclear weapons will find a home in a radical regime.' Lieberman later made the same point more clearly, when he stated that: 'Iran with nuclear weapons and long-range missiles; Hamas and the Islamic Jihad in the Gaza Strip; and Hizbullah in Lebanon - this is the real problem. If we're looking for a stable solution to the Palestinian problem, we must first of all stop the intensification and expansion of the Iranian threat.' See: Israel Ministry of Foreign Affairs, "FM Lieberman Meets US Special Envoy Mitchell," Jerusalem: 16 April, 2009.

²²³ Israel Ministry of Foreign Affairs, "Statement By Incoming Foreign Minister Avigdor Lieberman at the Ministerial Inauguration Ceremony."

²²⁴ *Ibid.*

²²⁵ See: US Department of State, "Remarks by Special Envoy for Middle East Peace George Mitchell With Israeli Foreign Minister Avigdor Lieberman," Jerusalem: 16 April, 2009., US Department of State, "Special Envoy George Mitchell Meets With Palestinian President Mahmoud Abbas," Ramallah, : 17 April, 2009.

the urgent nature of the Iranian threat to Israeli national security.²²⁶ In response, Obama indicated that he shared Israeli concerns regarding the Iranian nuclear program, but noted that addressing the Israeli-Palestinian issue would 'strengthen our hand in the international community in dealing with a potential Iranian threat.'²²⁷ Secondly, Obama outlined the US approach to the resumption of negotiations, which would involve both parties addressing the 'obligations that they've previously agreed to.' Specifically, in a press conference with Netanyahu, Obama noted that:

...I shared with the Prime Minister the fact that under the roadmap and under Annapolis that there's a clear understanding that we have to make progress on settlements. Settlements have to be stopped in order for us to move forward.²²⁸

In doing so, Obama had made clear that his Administration would prioritise the Israeli settlement issue as a key factor for resuming bilateral negotiations. On 27 May 2009, Clinton clarified that this expectation also included a freeze on 'natural growth.'²²⁹ Prime Minister Netanyahu avoided outlining the Israeli position on the issue of a total settlement freeze, but made clear that his government had expectations of their own regarding the resumption of negotiations. Indeed, Netanyahu noted that:

If we resume negotiations, as we plan to do, then I think that the Palestinians will have to recognize Israel as a Jewish state; will have to also enable Israel to have the means to defend itself.²³⁰

For Netanyahu, recognition as a Jewish state was an important part of guaranteeing the 'permanent legitimacy' of Israel²³¹ – in other words, guaranteeing that the future ethnic composition of Israel included a permanent Jewish majority – whereas for the Palestinians, recognition of Israel as a Jewish state would complicate or prevent the return of Palestinian refugees to their former homes, and might also be used to delegitimise the current Arab citizens of Israel. The notion of Israeli self defence referred to the well-established Israeli requirement that any future Palestinian state be

²²⁶ Specifically, Netanyahu noted that: 'In this context, the worst danger we face is that Iran would develop nuclear military capabilities. Iran openly calls for our destruction, which is unacceptable by any standard.' See: The White House, "Remarks By President Obama and Prime Minister Netanyahu of Israel in Press Availability," Washington, DC: 18 May, 2009.

²²⁷ Ibid.

²²⁸ Ibid.

²²⁹ Landler, "Israeli Settlement Growth Must Stop, Clinton Says."

²³⁰ The White House, "Remarks By President Obama and Prime Minister Netanyahu of Israel in Press Availability."

²³¹ Ibid.

demilitarised, with IDF restrictions on their borders and airspace.²³² While Netanyahu argued that these issues should not be regarded as 'preconditions' to negotiations,²³³ the danger for Palestinians was that agreeing to future talks under these conditions would *imply* a form of agreement. Finally, in Obama's meeting with Abbas the two leaders established that Palestinian Unity talks would continue to be contingent on Hamas recognising and adhering to the Quartet conditions – Obama's first mention of the grouping since taking office.²³⁴

In the period following the May meetings, the notion of a total freeze on Israeli settlement construction divided the Israeli and US administrations. In a strict sense, the Obama Administration position on this issue was consistent with the previous agreements of the parties, and with the stated positions of the Bush Administration.²³⁵ In essence, Obama had discarded the understanding reached at Annapolis that the Roadmap Phase One commitments would be delayed until the implementation of the shelf agreement, and instead re-positioned these commitments as necessary precursors to the negotiations process. With Mitchell as his envoy, Obama had, in effect, returned to the original sequencing of the Roadmap document. This much was clear during Obama's so-called 'New beginning' speech in Cairo, on 4 June 2009, when he noted that:

The obligations -- the obligations that the parties have agreed to under the road map are clear. For peace to come, it is time for them -- and all of us -- to live up to our responsibilities.²³⁶

²³² This implication was confirmed when Netanyahu noted: 'I want to make it clear that we don't want to govern the Palestinians. We want to live in peace with them. We want them to govern themselves, *absent a handful of powers that could endanger the state of Israel.*' [Emphasis added] See: Ibid.

²³³ See: Israel Ministry of Foreign Affairs, "PM Netanyahu: Israel National State of Jewish People," Jerusalem: 20 April, 2009.

²³⁴ Obama noted that 'I very much appreciate...that President Abbas I think has been under enormous pressure to bring about some sort of unity government and to negotiate with Hamas. And I am very impressed and appreciative of President Abbas' willingness to steadfastly insist that any unity government would have to recognize the principles that have been laid by the Quartet.' See: The White House, "Remarks By President Obama and President Abbas of the Palestinian Authority in Press Availability."

²³⁵ As discussed previously, the Roadmap document is clear on this issue, even if Israeli acceptance of this provision was not. Furthermore, in the post-Annapolis negotiations process the notion of a total freeze on Israeli settlements was often described as a condition that would ultimately determine the implementation of any future peace agreement.

²³⁶ US Department of State, "President Obama's Speech in Cairo: A New Beginning," Cairo University, Egypt: 4 June, 2009.

Specifically, these responsibilities included the Palestinians abandoning violence and building institutional capacity, and the Israelis easing restrictions in the Palestinian territories and halting settlement construction.²³⁷

For the Israelis, however, US insistence that both 'natural growth' and settlements in East Jerusalem should also be frozen ignored the 'understandings' supposedly reached with the Bush Administration.²³⁸ Specifically, Israeli officials referred to the letters exchanged between Bush and Sharon, and between Weissglass and Rice in 2004.²³⁹ According to the Israeli interpretation of this period, the letters represented an unspoken agreement between the United States and Israel that settlement *expansion* would not continue, but that growth *within* existing settlements would. Former US Ambassador to Israel, Daniel Kurtzer dismissed these suggestions in an op-ed in the Washington Post:

The idea was to draw a line around the outer perimeter of built-up areas in settlements and to allow building only inside that line. This draft was never codified, and no effort was made then to define the line around the built-up areas of settlements. Nonetheless, Israel began to act largely in accordance with its own reading of these provisions, probably believing that U.S. silence conferred assent.²⁴⁰

As Clinton made clear on 17 June 2009, any informal arrangements on this issue reached between previous Israeli governments and the Bush Administration did not represent 'enforceable agreements' moving forward.²⁴¹

Thus, the Obama Administration position on settlements was not new; it was simply a rigid application of the Roadmap document. For Abbas, this presented a dilemma. While his position was essentially identical to Obama's, a vocal and engaged US President calling for a total freeze on settlements compromised his ability to show flexibility on this issue. As Abbas noted later:

²³⁷ The language used by Obama on this occasion was particularly direct: 'The United States does not accept the legitimacy of continued Israeli settlements. This construction violates previous agreements and undermines efforts to achieve peace. It is time for these settlements to stop.' See: Ibid.

²³⁸ US Department of State, "Remarks With Israeli Foreign Minister Avigdor Lieberman," Washington, DC: 17 June, 2009.

²³⁹ See: Israel Ministry of Foreign Affairs, "Exchange of Letters between PM Sharon and President Bush," Washington, DC: 14 April, 2004., Israel Ministry of Foreign Affairs, "Letter from Dov Weissglas, Chief of the PM's Bureau, to National Security Adviser, Dr. Condoleezza Rice," Jerusalem: 18 April, 2004.

²⁴⁰ Kurtzer, D., "The Settlements Facts," *The Washington Post*, 14 June, 2009.

²⁴¹ Clinton noted that: '...in looking at the history of the Bush Administration, there were no informal or oral enforceable agreements. That has been verified by the official record of the Administration and by the personnel in the positions of responsibility.' See: US Department of State, "Remarks With Israeli Foreign Minister Avigdor Lieberman."

Obama laid down the condition of halting the settlements completely. What could I say to him? Should I say this is too much? Moreover, halting the settlements is the second article of the road map, and it is something I want.²⁴²

Not wanting to appear 'less Palestinian' than the US President, Abbas outlined three conditions regarding the resumption of negotiations, including a total freeze on Israeli settlement construction, an agreement between Israeli and Palestinian representatives on the 'terms of reference' for negotiations, and for future negotiations to begin where the bilateral track of Annapolis had ended.²⁴³ The logic of this approach was later summed up by a Palestinian presidential advisor, who noted that 'the problem isn't getting negotiations going. The problem is getting negotiations going that are credible.'²⁴⁴ Abbas chose to capitalise on the strong US position on Israeli settlements in the hope of extracting valuable (and politically essential) concessions from Netanyahu. The danger of this approach, however, was that if the United States softened its position, Abbas would be stranded. As the next section demonstrates, this was precisely what happened.

The UN General Assembly and the Israeli Settlement Moratorium

On 14 June 2009, Netanyahu publicly responded to the demands of both the United States and the Palestinians regarding the resumption of negotiations. In a speech at Bar Ilan University, he noted that Palestinian demands were 'inconsistent with a true desire to end the conflict,' and that any further negotiations should resume 'without preconditions.'²⁴⁵ In the same speech, however, he stated that 'a fundamental prerequisite for ending the conflict is a public, binding and unequivocal Palestinian recognition of Israel as the nation state of the Jewish people.'²⁴⁶ Moreover, for the first time, Netanyahu made explicit the connection between the notion of a Jewish state and the Palestinian refugee issue:

To vest this declaration with practical meaning, there must also be a clear understanding that the Palestinian refugee problem will be resolved outside Israel's borders. For it is clear that any demand for resettling Palestinian refugees within Israel undermines Israel's continued existence as the state of the Jewish people.²⁴⁷

²⁴² "PA President Abbas, Interview with Al-Sharq Al-Awsat, Ramallah, 22 December 2009 (excerpts)."

²⁴³ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," pp. 6-14.

²⁴⁴ Ibid., p. 6.

²⁴⁵ Israel Ministry of Foreign Affairs, "Address by PM Netanyahu at Bar-Ilan University," Bar-Ilan University, Tel Aviv: 14 June, 2009.

²⁴⁶ Ibid.

²⁴⁷ Ibid.

Thus, while Netanyahu maintained that he had no preconditions for the resumption of negotiations, he simultaneously argued that the outcome of any future negotiations must meet his prerequisites – a purely semantic distinction. In addition to the Jewish State issue, Netanyahu outlined his positions on several other final status issues. Specifically, he argued that ‘the territory under Palestinian control must be demilitarized with ironclad security provisions for Israel,’ and that:

Israel needs defensible borders, and Jerusalem must remain the united capital of Israel with continued religious freedom for all faiths. The territorial question will be discussed as part of the final peace agreement. In the meantime, we have no intention of building new settlements or of expropriating additional land for existing settlements.²⁴⁸

Netanyahu rejected both the US and Palestinian demands regarding a total freeze on settlement construction, and argued that the settlers were ‘neither the enemies of the people, nor the enemies of peace,’ but instead were ‘an integral part of our people, a principled, pioneering and Zionist public.’²⁴⁹ In the aftermath of Netanyahu’s speech, Mitchell returned to the region to pursue ‘meaningful steps’ from the parties to the conflict.²⁵⁰ However, with an Israeli leader ostensibly open to the resumption of negotiations, and with the Obama Administration pursuing the issue with a ‘sense of urgency,’ pressure mounted on the Palestinians to amend their position.²⁵¹

During this period, the issues that divided the parties regarding the resumption of talks largely excluded the input of the non-US Quartet members. With Mitchell working to forge a common understanding between the parties themselves, contributions from international actors within this context were of little additional utility. Nevertheless, on 26 June 2009, the Quartet members were briefed by Mitchell on the negotiations process, and issued their first statement since December 2008.²⁵²

The 40th Quartet statement functioned entirely in support of recent US efforts, and urged the parties to the conflict to resume ‘negotiations to resolve all permanent status issues,

²⁴⁸ Ibid.

²⁴⁹ Ibid.

²⁵⁰ US Department of State, “Briefing by Special Envoy for Middle East Peace George Mitchell on His Recent Travel to the Region and Efforts Toward Achieving A Comprehensive Peace,” Washington, DC: 16 June, 2009.

²⁵¹ Mitchell noted that: ‘We have a sense of urgency about this. We want to get going. We want to get this process moving, and we want to bring it to a conclusion.’ See: Ibid.

²⁵² Mitchell met with the Quartet members at the Principals level, rather than as an envoy.

without preconditions.'²⁵³ The Quartet members called upon Israel to 'freeze all settlement activity,' and underscored their desire for 'Palestinian divisions to be overcome,' but notably maintained that all Palestinians should 'commit themselves to non-violence, recognition of Israel, and acceptance of previous agreements and obligations.'²⁵⁴ In essence, the Quartet members maintained their conditions on Hamas in the post-Gaza conflict period. The ongoing effects of the Palestinian division were mentioned further by the Quartet members, who noted a renewed commitment to discuss the implementation of the 2005 Agreement on Movement and Access in Gaza.²⁵⁵ The Quartet statement made no mention of Operation Cast Lead or of the ongoing humanitarian crisis in the Gaza Strip.

In spite of this, the issue of Israel's ongoing blockade of Gaza in the aftermath of Cast Lead was thrust into the spotlight four days later, when a flotilla of international activists was intercepted by the Israeli navy attempting to deliver humanitarian supplies to the people of Gaza. The Greek cargo ship 'Arion' was boarded by Israeli commandos on 30 June 2009 and diverted to the port of Ashdod.²⁵⁶ The flotilla was designed to raise awareness of the humanitarian situation in Gaza, and to place pressure on Israel to ease the blockade. While this attempt was thwarted without major incident, ten months later a second flotilla of activists attempted to breach Gaza's waters, and this time was met with deadly force by the Israeli navy, sparking international outrage and a diplomatic crisis for Israel.²⁵⁷

For Israel, international efforts to breach the naval exclusion zone surrounding Gaza diluted the 'political and economic pressure on Hamas,' and delegitimised Israeli security concerns.²⁵⁸ In the aftermath of the first flotilla incident, this Israeli sense of victimisation was compounded by the 15 September release of the UN fact-finding mission report on the Gaza conflict.²⁵⁹ Israeli officials argued that the report unjustly impugned Israeli conduct throughout Operation Cast Lead without thoroughly

²⁵³ US Department of State, "Quartet Statement from the June 26, 2009 Meeting in Trieste," Trieste, Italy: 26 June, 2009.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Israel Ministry of Foreign Affairs, "Cargo Boat Attempting Illegal Entry to Gazan Coastal Waters Intercepted," Jerusalem: 30 June, 2009.

²⁵⁷ This incident is discussed in the next section of this chapter, covering the work of the Quartet members throughout 2010.

²⁵⁸ Israel Ministry of Foreign Affairs, "Cargo Boat Attempting Illegal Entry to Gazan Coastal Waters Intercepted."

²⁵⁹ United Nations Human Rights Council, "Report of the United Nations Fact-Finding Mission on the Gaza Conflict."

examining the root cause of the Israeli response, Palestinian rocket fire.²⁶⁰ Israeli authorities presented the UN fact-finding mission as having waged a thinly-veiled 'political campaign against Israel,' that ignored the Israeli right to self defence.²⁶¹ Consequently, in the 2009 meeting of the United Nations General Assembly, Israel sought to persuade the members of the UN Human Rights Council to vote against the findings of the report, an issue that came to dominate the agenda of the peace process.

By September 2009 the Obama Administration was placing strong pressure on both the Israelis and Palestinians to resume a negotiations process, despite having failed to find a way to satisfy the stated needs of either party. On 22 September 2009, Obama convinced Abbas and Netanyahu to meet trilaterally with him in New York in an attempt to forge an understanding between the two leaders on the resumption of formal negotiations. In a statement to the press afterwards, Obama declared that 'it is past time to talk about starting negotiations – it is time to move forward.'²⁶²

For a clearly frustrated Obama Administration, eight months of efforts to restart negotiations failed to produce a change in position from either party, and even presidential intervention had proven ineffective. In a press conference following the trilateral, Mitchell noted that no agreement had been reached on the resumption of negotiations, ostensibly because the parties still disagreed on the terms of reference for such negotiations.²⁶³ When a reporter pointed out to Mitchell that this situation sounded like the parties were 'starting from scratch,' Mitchell's response was indicative of the Administration's approach to breaking the logjam:

...the implication of your question is that we should accept, as final, the parties' first words, that when they say something and they disagree, well, we should accept that as final and walk away. We have the exact opposite point of view. Where there are

²⁶⁰ Former Israeli Prime Minister Olmert noted that '...to write a report that focuses only on Israel's response to terror against innocent civilians was a moral indignity.' See: Sheridan, "Ehud Olmert Still Dreams of Peace."

²⁶¹ Israel Ministry of Foreign Affairs, "Israel's Analysis and Comments on the Gaza Fact-Finding Mission Report," Jerusalem: 15 September, 2009.

²⁶² Obama also added that: 'It is time to show the flexibility and common sense and sense of compromise that's necessary to achieve our goals. Permanent status negotiations must begin and begin soon. And more importantly, we must give those negotiations the opportunity to succeed.' See: US Department of State, "Remarks by the President at Beginning of Trilateral Meeting With Israeli Prime Minister Netanyahu and Palestinian Authority President Abbas," New York City: 22 September, 2009.

²⁶³ Mitchell noted that the differences between the parties: '...relate to terms of reference – where do you begin negotiations in relation to past efforts, what subjects are going to be covered, how are they to be identified, in what order do you begin, what sequence will therefore follow, a whole – almost any imaginable issue that you could think of that affects both the process and the substance of negotiations.' See: US Department of State, "Briefing by Special Envoy for Middle East Peace George Mitchell," New York City: 22 September, 2009.

differences, we seek to resolve them. And that's what we're going to do over the next few weeks.²⁶⁴

In support of this goal, the Quartet members met on 24 September 2009. The statement issued by the members after this meeting reflected the more robust approach to restarting negotiations of the Obama Administration. Specifically, and for the first time, this statement introduced language that called for the parties to fulfill their Roadmap commitments 'irrespective of reciprocity.'²⁶⁵ The introduction of this phrase coincided with US frustrations concerning the reluctance of the parties to proceed in the absence of guarantees and preconditions. By urging each party to jettison the notion of reciprocity, the Quartet members were returning to the principle of parallelism that underpinned the Roadmap document. Ultimately, however, this notion carried little sway with the parties to the conflict.

In their addresses to the UN General Assembly, both Abbas and Netanyahu reiterated their previous positions on the resumption of talks.²⁶⁶ However, Netanyahu focused a substantial portion of his address to the General Assembly on the report of the UN fact-finding mission on Gaza, describing the report as a 'farce,' and urging UN members to reject its findings.²⁶⁷

With the UN Human Rights Council set to vote on the findings of the fact-finding mission on 2 October 2009, Israeli representatives applied diplomatic pressure on the Palestinians to postpone the vote.²⁶⁸ In a public relations blitz, Israeli Deputy Foreign Minister Danny Ayalon argued that 'if the report is adopted, the Human Rights Council

²⁶⁴ Ibid.

²⁶⁵ The Quartet statement noted that: 'The Quartet calls on Israel and the Palestinians to act on their previous agreements and obligations--in particular adherence to the Roadmap, irrespective of reciprocity--to create the conditions for the resumption of negotiations in the near term.' See: US Department of State, "Joint Statement by the Quartet," New York City: 24 September, 2009.

²⁶⁶ Netanyahu stated that 'we ask the Palestinians to finally do what they have refused to do for 62 years: Say yes to a Jewish state,' while Abbas stated that 'the settlement policy and the building of the separation Wall, which continue to be pursued by the Israeli occupation, will abort opportunities to re-launch the peace process.' See: Israel Ministry of Foreign Affairs, "Address by PM Netanyahu to the UN General Assembly," New York City: 24 September, 2009., United Nations General Assembly, "Statement by H.E. Mr. Mahmoud Abbas President of the State of Palestine at the General Debate of the 64th Session of the United Nations General Assembly " New York: 25 September, 2009.

²⁶⁷ See: Israel Ministry of Foreign Affairs, "Address by PM Netanyahu to the UN General Assembly."

²⁶⁸ Subsequent investigations by Israeli journalist Akiva Eldar uncovered evidence that Shin Bet Chief Yuval Diskin threatened Palestinian President Abbas with a dramatic increase in the Israeli closure system in the West Bank if Abbas did not postpone the vote on the UN fact-finding mission report. See: Eldar, A., "Diskin to Abbas: Defer UN Vote on Goldstone or Face 'Second Gaza'," *Haaretz*, 17 January, 2010.

will become the "Terror Rights Council".²⁶⁹ With the United States and Israel in agreement on the issue, Abbas was diplomatically and politically isolated.²⁷⁰ Furthermore, according to internal Palestinian Authority documents leaked in 2011, in exchange for Abbas postponing the Human Rights Council Vote, Mitchell offered Palestinian negotiator Saeb Erekat political guarantees in the event that bilateral negotiations were resumed.²⁷¹ Given that the non-US Quartet members were all supportive of the findings of the UN report, it is safe to assume that this was exclusively a US initiative.²⁷²

Thus, under intense diplomatic pressure, on 2 October 2009, Abbas requested that the members of the UN Human Rights Council postpone the vote on the findings of the UN fact-finding mission on the Gaza conflict until March 2010.²⁷³ The political fallout for Abbas in both the Palestinian territories and the wider Arab world was immediate and damaging, and Abbas was accused of providing cover for Israeli actions in Gaza.²⁷⁴ Despite reportedly promising to support his decision before the vote, Arab leaders publicly turned on Abbas after popular opinion in the region soured.²⁷⁵ Domestic pressure also mounted on Abbas to resign from office, particularly from Hamas representatives.²⁷⁶ Such was the strength of the campaign against Abbas' decision, that, on 16 October 2009, he reversed his position, and called for a special sitting of the Human Rights Council to approve the fact-finding mission report.

The Council subsequently approved the conclusions of the UN fact-finding mission, and condemned the conduct of Israeli forces in the Gaza conflict.²⁷⁷ The final voting tally was 25 in favour, 11 abstentions, and six against, with the United States noticeably in

²⁶⁹ Israel Ministry of Foreign Affairs, "MFA Officials Brief Ambassadors, Foreign Press on Goldstone Report," Geneva: 1 October, 2009.

²⁷⁰ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 9.

²⁷¹ See: Mustafa, F., "Palestinian Authority Stonewalled the Goldstone Vote," *Al Jazeera: The Palestine Papers*, 26 January, 2011.

²⁷² The UN Secretary General was supportive of the efforts of the Human Rights Council, Russia voted in favour of the findings of the report, and in March 2010, the European Parliament also affirmed the report.

²⁷³ Mustafa, "Palestinian Authority Stonewalled the Goldstone Vote."

²⁷⁴ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 9.

²⁷⁵ On 6 October Abbas noted: 'I believe all the Arab brothers are members of the organisation and they all know very well that the postponement of the vote happened with their knowledge and approval.' See: "Pressure Mounts on Abbas to Quit," *Al Jazeera*, 6 October, 2009.

As a US official noted, Arab leaders rushed to condemn Abbas 'the minute they saw how it was playing on al Jazeera.' See: International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 10.

²⁷⁶ Mustafa, "Palestinian Authority Stonewalled the Goldstone Vote."

²⁷⁷ United Nations Human Rights Council, "Resolution Adopted by the Human Rights Council: The Human Rights Situation in the Occupied Palestinian Territory, including East Jerusalem," A/HRC/RES/S-12/1: 16 October, 2009.

the latter category.²⁷⁸ Predictably, the Israeli government rejected the Human Rights Council's endorsement of the report, and noted that 'Israel will continue to exercise its right to self defense.'²⁷⁹ For Abbas, however, the entire incident was politically and personally humiliating.²⁸⁰ According to close associates of Abbas, he had been 'deeply wounded' by his recent treatment, and refused to take calls from close advisors, including US officials.²⁸¹

Adding to Abbas' frustrations was the deepening US-Israel dialogue during October 2009, in which Washington reportedly agreed to soften its stance on the settlements issue.²⁸² In response, on 26 October 2009, Abbas announced that Palestinian presidential elections would take place on 24 January 2010, and that he would not re-contest the position.²⁸³ He cited Washington's recent 'capitulation' on the Israeli settlement issue, and the uncompromising approach of Prime Minister Netanyahu as the key factors behind his decision to effectively resign.²⁸⁴ With the situation worsening, Clinton travelled to the region to meet with the Palestinian President and the Israeli Prime Minister on 31 October. Meeting first with Abbas in Abu Dhabi, Clinton reportedly briefed him on the recent US-Israel dialogue, including a new Israeli policy of 'restraint' on settlement construction as a mechanism for restarting bilateral negotiations.²⁸⁵ At a news conference following the meeting, Abbas rejected the policy, telling Clinton that there would be no new negotiations until Israel completely froze settlement construction.²⁸⁶ When Clinton met with Netanyahu later on the same day, she offered praise for the 'unprecedented' policy that his government had recently developed and noted that, once announced officially, it would address 'many of the concerns that have been expressed.'²⁸⁷

²⁷⁸ See: Ibid.

²⁷⁹ Israel Ministry of Foreign Affairs, "Israel's Reaction to the Decision of the UN Human Rights Council," Jerusalem: 16 October, 2009.

²⁸⁰ See: Malley, R. and Agha, H., "Israel and Palestine: Can They Start Over?," *The New York Review of Books*, 3 December, 2009.

²⁸¹ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 10.

²⁸² Haaretz Service, "Abbas to Obama: I'll Quit, There's No Chance for Peace with Netanyahu," *Haaretz*, 26 October, 2009.

²⁸³ Ibid.

²⁸⁴ Ibid.

²⁸⁵ Ravid, B., "In Jerusalem, Clinton Hails 'Unprecedented' Israeli Settlement Concessions," *Haaretz*, 31 October, 2009.

²⁸⁶ Ibid.

²⁸⁷ US Department of State, "Remarks With Israeli Prime Minister Binyamin Netanyahu," Jerusalem: 31 October, 2009.

Before this official announcement came, Abbas declared, on 19 November 2009, that the proposed January 2010 Presidential elections would be postponed in light of Hamas' refusal to allow the citizens of Gaza to participate.²⁸⁸ While no new date was set for these elections, Abbas noted that whenever they did occur, he would not be a candidate.²⁸⁹ With elections postponed and Abbas' term still set to expire, a solution was required to avoid further Palestinian leadership instability. Thus, on 16 December 2009, the PLO executive committee extended President Abbas' term 'indefinitely'.²⁹⁰ As Hamas officials noted, the PLO had no constitutional authority to perform such an action.²⁹¹ Ironically, in efforts to avert a constitutional crisis, the PLO had cemented a leadership limbo in the Palestinian territories, where Abbas could not hold elections, nor could his term end.

With the prospect of Abbas departing in the short term neutralised, Netanyahu unveiled Israel's modified position on settlement construction. In a speech on 25 November 2009, the Prime Minister declared that:

Today, my cabinet authorized a policy of restraint regarding settlements which will include a suspension of new permits and new construction in Judea and Samaria for a period of ten months.²⁹²

While packaged as a 'far reaching step,' the so-called Israeli 'settlement moratorium' included several crucial caveats.²⁹³ First, the construction freeze only included settlements in the West Bank, and did not cover East Jerusalem. Second, the freeze only applied to new projects, and did not cover any construction currently underway. Third, the freeze only applied to housing construction, and excluded schools, synagogues, public buildings necessary for the 'continuation of normal life,' and 'any infrastructure' related to Israeli national security.²⁹⁴ In essence, the ten month Israeli settlement moratorium allowed for all constructions in East Jerusalem to continue, and all existing housing developments and infrastructural projects in the West Bank to continue, after which time the Israeli government would 'revert to the policies of previous governments

²⁸⁸ Abbas noted that '...because of the rejection of Hamas and its threat to prevent (voting) by force, naturally they will be delayed, or the time of the elections will come later.' See: Haaretz Service, "Israel Conducting Secret Talks With Hamas, Abbas Says," *Haaretz*, 19 November, 2009.

²⁸⁹ Ibid.

²⁹⁰ Kershner, I., "PLO Extends President Mahmoud Abbas's Term," *The New York Times*, 16 December, 2009.

²⁹¹ Ibid.

²⁹² Israel Ministry of Foreign Affairs, "Statement by PM Netanyahu on the Cabinet Decision to suspend new construction in Judea and Samaria," Jerusalem, Israel: 25 November, 2009.

²⁹³ See: Ibid.

²⁹⁴ Ibid.

in relation to construction.'²⁹⁵ As Mitchell noted modestly on the day of the announcement, the Israeli policy fell 'short of a full settlement freeze...'²⁹⁶

The United States was supportive of Netanyahu's settlement policy, emphasising that it was 'more than any Israel Government has done before,' and 'could have a substantial impact on the ground.'²⁹⁷ With the Obama Administration unable to secure a full settlement freeze, Mitchell was left defending a policy that 'could mean much less settlement construction,' while maintaining that the United States continued to view these settlements as 'illegitimate.'²⁹⁸

Unsurprisingly, the Israeli settlement moratorium failed to meet the political requirements for Abbas. Bolstered by the recent support of the PLO, and still displeased by US 'capitulation,' Abbas categorically ruled out the resumption of negotiations unless Israel declared a full freeze to settlement construction, including in East Jerusalem.²⁹⁹ For the Palestinian leadership, the failure of the Obama Administration to elicit a more meaningful settlement freeze from the Israelis removed any remaining confidence in the ability of the United States to deliver outcomes favourable to the Palestinians.³⁰⁰

The Obama Administration had begun its first year by demanding a full freeze on Israeli settlement construction, and ended it praising a patently disingenuous Israeli position and recommending the resumption of negotiations on that basis. As Malley and Agha noted, this inconsistent approach had 'increased friction with Jerusalem, squandered credibility with the Arab world, and weakened Abbas.'³⁰¹ As the next section demonstrates, the dynamics established in 2009 between the Obama Administration and the parties to the conflict continued throughout 2010, and the political process remained deadlocked. For the members of the Quartet, another year of support for Mitchell's efforts produced little tangible progress.

²⁹⁵ Ibid.

²⁹⁶ US Department of State, "Briefing by Special Envoy for Middle East Peace George Mitchell" Washington, DC: 25 November, 2009.

²⁹⁷ Ibid.

²⁹⁸ Ibid.

²⁹⁹ Kershner, "PLO Extends President Mahmoud Abbas's Term."

³⁰⁰ As a senior PA official noted '...the U.S. was unable to secure a settlement freeze and told us to just get on with it and negotiate. But how can I be sure that in six months I will not be confronted with a situation in which the U.S. says, "we wish we could have gotten you a better deal, but this is the best we can do, now just get on with it and sign?"' See: International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 16.

³⁰¹ Malley and Agha, "Israel and Palestine: Can They Start Over?."

2010: Shuttle Diplomacy

Conflicts are created, conducted, and sustained by human beings. They can be ended by human beings. I saw it happen in Northern Ireland, although, admittedly, it took a very long time. I believe deeply that with committed, persevering, and patient diplomacy, it can happen in the Middle East.

- George Mitchell, United States Envoy to the Middle East Peace Process (2009-2011).³⁰²

Proximity talks take us back almost twenty years, to a time when the two sides were not talking to each other at all. They basically throw overboard much of the substantive progress achieved during years of face to face negotiations.

- Daniel Kurtzer, United States Ambassador to Israel (2001-2005).³⁰³

In 2010, the Middle East peace process was reduced to US efforts merely to re-establish bilateral ties between the Israelis and the Palestinians. Diplomatic setbacks in the US-Israel relationship and international condemnation over the Gaza flotilla tragedy further complicated this task. While several rounds of sterile proximity talks eventually resulted in a relaunch of bilateral negotiations, this process was quickly derailed by the termination of the Israeli settlement moratorium, and the Palestinian pursuit of political outcomes in international forums such as the United Nations. Ultimately, neither the Israelis nor the Palestinians had confidence in the ability of the Obama Administration to facilitate a political process that would deliver their requisite domestic outcomes, nor was there agreement between the parties about the terms of reference for the resumption of negotiations. This situation was exacerbated by further regression in the Israeli-Palestinian relationship over the ongoing issue of the Gaza blockade, and by personal tensions between Obama and Netanyahu.

For the members of the Quartet, the year was characterised by ongoing support for US shuttle diplomacy, and efforts to assist in the re-launch of a bilateral negotiations process between the Israelis and Palestinians. While the grouping issued six official statements in 2010, only two coincided with Quartet meetings while the others were issued via teleconference.³⁰⁴ With the parties to the conflict either unable or unwilling to resume the negotiations process despite active engagement from the Obama

³⁰² US Department of State, "Secretary Clinton With Vice President Joe Biden Announce Appointment of Special Envoy for Middle East Peace George Mitchell and Special Representative for Afghanistan and Pakistan Richard Holbrooke."

³⁰³ Kurtzer, D., "Proximity Talks: Prospects for Success?," *Foreign Policy*, 9 March, 2010.

³⁰⁴ These meetings were on 19 March 2010 and 21 September 2010.

Administration on the issue, the members of the Quartet were largely inactive during this period.

Proximity Talks and Diplomatic Tensions

I certainly know the frustration of Israeli announcements of building new housing on disputed land; it often felt as though those bulletins were issued just after the Secretary of State had travelled there.

- Condoleezza Rice, US Secretary of State (2006-2009).³⁰⁵

With the Palestinians unwilling to relaunch direct negotiations on the basis of the Israeli settlement moratorium, Mitchell travelled to the region to establish a framework for 'proximity talks.'³⁰⁶ In essence, these talks would take place between Mitchell and the parties to the conflict separately, and would be centred on the resumption of bilateral negotiations between the parties themselves. This process was indicative of the deep divisions between the Israelis and Palestinians during this period, where the parties held such contrasting views on the final status issues that the resumption of direct negotiations in the absence of political guarantees was considered pointless.

After two months of meetings with the parties, on 8 March 2010, Mitchell announced that he had achieved the modest goal of relaunching 'indirect talks.'³⁰⁷ Notably, the structure and scope of the talks had yet to be determined, and it was also likely that Mitchell's success coincided with the imminent visit of US Vice President Joe Biden to the region to meet with the parties to the conflict. The US pursuit of proximity talks drew heavy criticism from former US Ambassador to Israel Daniel Kurtzer, who argued that the process was 'a poor excuse for American diplomacy and a recipe for the slow but ultimate demise of this round of peacemaking.'³⁰⁸ Ultimately, even the launch of the proximity talks proved politically problematic for the Obama Administration.

On 9 March 2010, during Biden's visit to Israel, Israel's Interior Ministry announced the approval of 1,600 new housing units in Ramat Shlomo, an ultra-Orthodox Jewish

³⁰⁵ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 724.

³⁰⁶ Mitchell travelled to the region in January 2010 and met with Israeli and Palestinian officials. See: US Department of State, "Remarks After Meeting With Palestinian President Mahmoud Abbas," West Bank: 25 January, 2010.

³⁰⁷ Somewhat prophetically, Mitchell also noted that the parties to the conflict should 'refrain from any statements or actions which may inflame tensions or prejudice the outcome of these talks.' See: US Department of State, "Statement by Special Envoy for Middle East Peace George Mitchell," Washington, DC: 8 March, 2010.

³⁰⁸ Kurtzer, "Proximity Talks: Prospects for Success?."

neighbourhood in East Jerusalem.³⁰⁹ While Netanyahu described the timing of the announcement as coincidental, the incident caused public tensions between the United States and Israel, and underscored Palestinian concerns that the settlement moratorium had never included Jerusalem. In a statement issued from the Office of the US Vice President soon after the Israeli announcement, Biden declared:

I condemn the decision by the government of Israel to advance planning for new housing units in East Jerusalem. The substance and timing of the announcement, particularly with the launching of proximity talks, is precisely the kind of step that undermines the trust we need right now and runs counter to the constructive discussions that I've had here in Israel.³¹⁰

As the diplomatic crisis deepened, Israeli Ambassador to the US Michael Oren argued that US-Israel relations were at their lowest point in 35 years.³¹¹ Seeking to de-escalate the situation, on 11 March 2010, Netanyahu released a statement expressing his 'displeasure at the timing of the announcement of another stage in the planning process of a Jerusalem building project,' and noting that he had conducted a frank discussion with his Interior Minister concerning future announcements.³¹²

For the Obama Administration, the incident exacerbated existing frustrations with the Netanyahu government, whose lukewarm apology had only served to further inflame the situation.³¹³ On 12 March, Clinton phoned Netanyahu to express her displeasure at both the timing and the content of the housing announcement, and urged him to take concrete steps to redress the situation.³¹⁴ On the same day, the Quartet members issued a statement following a teleconference that condemned the Israeli 'decision to advance planning for new housing units in East Jerusalem,' and to 'keep under consideration

³⁰⁹ Bronner, E., "As Biden Visits, Israel Unveils Plan for New Settlements," *The New York Times*, 9 March, 2010.

³¹⁰ The White House Office of the Vice President, "Statement by Vice President Joseph R. Biden, Jr.," Jerusalem: 9 March, 2010.

³¹¹ Ravid, B., "Israel Envoy: US Ties At Their Worst in 35 Years," *Haaretz*, 15 March, 2010.

³¹² Israel Ministry of Foreign Affairs, "Building in Jerusalem: Statement from PM Netanyahu's Bureau," Jerusalem: 11 March, 2010.

³¹³ In a similarly dismissive fashion, Netanyahu noted during an Israeli cabinet meeting on 14 March that 'there was a regrettable incident, that was done in all innocence and was hurtful, and which certainly should not have occurred,' but that there was 'no reason to add any more [on the topic].' See: Israel Ministry of Foreign Affairs, "Cabinet Communique," Jerusalem: 14 March, 2010.

³¹⁴ According to State Department Spokesperson P.J. Crowley, Clinton spoke to Netanyahu to reiterate that: '...the United States considers the announcement a deeply negative signal about Israel's approach to the bilateral relationship – and counter to the spirit of the Vice President's trip; and to reinforce that this action had undermined trust and confidence in the peace process, and in America's interests. The Secretary said she could not understand how this happened, particularly in light of the United States' strong commitment to Israel's security. And she made clear that the Israeli Government needed to demonstrate not just through words but through specific actions that they are committed to this relationship and to the peace process.' See: US Department of State, "Daily Press Briefing: Philip J. Crowley," Washington, DC: 12 March, 2010.

additional steps that may be required to address the situation on the ground.³¹⁵ While the Quartet members' support for the US reactive campaign was unsurprising, the timing of the statement was indicative of the urgency of the issue. Indeed, the Quartet members were already scheduled to meet face to face on 19 March 2010, in Moscow, but opted to express their condemnation a week earlier via teleconference.³¹⁶

For Israeli officials, the international criticism of the housing announcement was a disproportionate response to the initial incident.³¹⁷ As one noted in an interview with the International Crisis Group, the settlement in question was in an area that 'under virtually all existing peace plans,' would be under Israeli sovereignty, and although the timing of the announcement was 'hugely embarrassing,' they questioned whether this justified such a 'public dressing down.'³¹⁸

On 18 March 2010, Netanyahu phoned Clinton to 'follow up' on their previous conversation, and the two discussed 'specific actions that might be taken to improve the atmosphere for progress toward peace.'³¹⁹ Notably, the call took place the day before Clinton was due to meet with her Quartet colleagues in Moscow, a meeting that Mitchell had postponed his planned visit to the Middle East to attend.³²⁰ The subsequent Quartet statement reaffirmed support for the proximity talks, and once again urged the parties to the conflict to meet their previous commitments 'irrespective of reciprocity.'³²¹ Crucially, the statement also urged the government of Israel to freeze all settlement activity, including natural growth, and expanded on the recent criticism of Israel's housing announcement:

Recalling that the annexation of East Jerusalem is not recognized by the international community, the Quartet underscores that the status of Jerusalem is a permanent status issue that must be resolved through negotiations between the parties and condemns the decision by the government of Israel to advance planning for new housing units in East Jerusalem.³²²

³¹⁵ United Nations Department of Public Information, "Statement by the Middle East Quartet," New York city: 12 March, 2010.

³¹⁶ Ibid.

³¹⁷ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 35.

³¹⁸ Ibid.

³¹⁹ US Department of State, "Prime Minister Netanyahu's Call to Secretary Clinton," Washington, DC: 18 March, 2010.

³²⁰ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 34.

³²¹ US Department of State, "Joint Statement by the Quartet " Moscow, Russia: 19 March, 2010.

³²² Ibid.

In the press conference following the Quartet statement, Russian Foreign Minister Sergei Lavrov praised his fellow members for issuing a 'frank' and 'important' statement, that he was sure the Israeli government would hear, and 'understand correctly.'³²³ According to Clinton, the message being presented by the Quartet members was that 'unilateral actions by either party are not helpful,' but, given the events of the previous period, the subtext was actions that embarrassed US officials would not be tolerated.³²⁴ This message was further re-enforced when Netanyahu visited the United States in late March 2010, and was denied a photo opportunity or official press conference with President Obama after their meeting.³²⁵

Despite the parties agreeing to launch proximity talks on 8 March, the diplomatic crisis following Biden's visit to the region sidelined the process. On 9 May 2010, the parties once again affirmed their commitment to indirect negotiations,³²⁶ a move welcomed by the Quartet members in a short statement.³²⁷ Consequently, the first round of indirect negotiations was conducted by Mitchell on 20 May 2010,³²⁸ and was followed by a second round on 23 April 2010.³²⁹ However, as the following section demonstrates, the process was sidelined once again by developments in the region.

³²³ US Department of State, "Remarks With United Nations Secretary General Ban Ki-Moon, Russian Foreign Minister Sergey Lavrov, EU High Representative Catherine Ashton, and Quartet Special Representative Tony Blair After Their Meeting," Moscow, Russia: 19 March, 2010.

³²⁴ In a March 22, 2010 speech to AIPAC, Clinton noted that the housing announcement 'exposed daylight' between the US and Israel that 'undermines America's unique ability to play a role – an essential role – in the peace process.' See: US Department of State, "Remarks at the 2010 AIPAC Policy Conference," Washington, DC: 22 March, 2010.

For comments following the Quartet statement of 19 March 2010, see: US Department of State, "Remarks With United Nations Secretary General Ban Ki-Moon, Russian Foreign Minister Sergey Lavrov, EU High Representative Catherine Ashton, and Quartet Special Representative Tony Blair After Their Meeting."

³²⁵ Numerous commentators speculated on the cause of the diplomatic snub in the aftermath of Netanyahu's trip. One possible factor was Netanyahu's speech to AIPAC that preceded his meeting with Obama, in which he noted that 'Jerusalem is not a settlement. It is our capital.' See: Israel Ministry of Foreign Affairs, "Address by PM Benjamin Netanyahu at AIPAC Conference," Washington, DC: 22 March, 2010.

Another possible cause was the perception among US officials that Netanyahu was using his trip to rally domestic support against President Obama. See: Benn, A., "Netanyahu Leaves US Disgraced, Isolated and Weaker," *Haaretz*, 25 March, 2010.

³²⁶ Israel Ministry of Foreign Affairs, "PM Netanyahu Welcomes Beginning of Proximity Talks," Jerusalem: 9 May, 2010.

³²⁷ The statement was the product of a teleconference, and noted only support for proximity talks, and noted the Quartet member's calls for both parties to create an atmosphere conducive to the talks. See: US Department of State, "Joint Statement of the Quartet," Washington, DC: 11 May, 2010.

³²⁸ Israel Ministry of Foreign Affairs, "Proximity Talks: PM Netanyahu Meets with Senator Mitchell in Jerusalem," Jerusalem: 20 May, 2010.

³²⁹ See: US Department of State, "Meeting With Saeb Erekat, Chief Palestinian Negotiator," Ramallah: 23 April, 2010., US Department of State, "Meeting With Israeli Prime Minister Benjamin Netanyahu," Jerusalem: 23 April, 2010.

The Gaza Flotilla Incident

This was not a love boat. This was a hate boat. These weren't pacifists. These weren't peace activists. These were violent supporters of terrorism.

- Benjamin Netanyahu, Israeli Prime Minister (1996-1999, 2009-Present).³³⁰

On 31 May 2010, a flotilla of six ships organised by the 'Free Gaza Movement' was intercepted by the Israeli navy after attempting to breach the blockade of the Gaza Strip. When Israeli commandos boarded the *Mavi Marmara* (the lead ship of the flotilla), the operation resulted in the deaths of nine civilians, and injuries to 50 others, including seven IDF soldiers.³³¹ In the period that followed, criticisms of the conduct of the IDF during Gaza flotilla incident dominated the discourse of the Middle East peace process, and sidelined the proximity process.

On the evening of the raid, the UN Security Council issued an urgent statement expressing 'deep regret at the loss of life,' condemning 'acts which resulted in civilian deaths,' and calling for an independent investigation into the events.³³² The official Israeli response presented the incident as a 'clear case of self defence,' and argued that when Israeli commandos boarded the *Mavi Marmara* they were met with violent resistance by protestors.³³³ In a well-established pattern, Israel announced that it would conduct its own internal inquiry into the events of 31 May, and challenged the legitimacy of international efforts to form an independent fact-finding mission.³³⁴ The subsequent report of Israel's 'Turkel Commission,' named after former Israeli Supreme Court justice Jacob Turkel, was released on 24 January 2011, and concluded that the Israeli blockade of Gaza as well as the IDF takeover of the *Mavi Marmara* both met the requirements of humanitarian and international law.³³⁵ International efforts to investigate the flotilla incident developed in parallel to the Israeli inquiry, and were led

³³⁰ Israel Ministry of Foreign Affairs, "Statement by Prime Minister Netanyahu: "No Love Boat", " Jerusalem: 2 June, 2010.

³³¹ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," United Nations: A/65/380-S/2010/484: 17 September, 2010, p. 19.

³³² United Nations Security Council, "Security Council Condemns Acts Resulting in Civilian Deaths during Israeli Operation Against Gaza-Bound Aid Convoy, Calls for Investigation, in Presidential Statement," SC/9940: 31 May, 2010.

³³³ See: Israel Ministry of Foreign Affairs, "Gaza Flotilla: Statement by PM Netanyahu," Jerusalem: 31 May, 2010.

³³⁴ Israel Ministry of Foreign Affairs, "Government Establishes Independent Public Commission," Jerusalem: 14 June, 2010.

³³⁵ See: Israel Ministry of Foreign Affairs, "Special Update: Turkel Commission Report on Gaza Flotilla Incident " Jerusalem: 24 January, 2011.

by the UN Secretary General and the UN Human Rights Council.³³⁶ Ultimately, the UN fact-finding mission on the Gaza Flotilla incident concluded that:

...a series of violations of international law, including international humanitarian and human rights law, were committed by the Israeli forces during the interception of the flotilla and during the detention of passengers in Israel prior to deportation.³³⁷

While the discourse surrounding the flotilla incident essentially adhered to the established patterns of the Israeli-UN relationship, the specific responses of the Netanyahu government in the aftermath of the incident were of particular relevance to the work of the Quartet members.

Indeed, Israel's heavy-handed response to the Gaza flotilla had brought international attention to the humanitarian crisis in the Gaza Strip, and had accelerated international calls for the easing of the Israeli blockade. On 9 June 2010, after a meeting with Abbas, Obama noted that:

With respect to the broader issue of lifting the blockade, as I said before, I think the key here is making sure that Israel's security needs are met, but that the needs of people in Gaza are also met. And it seems to us that there should be ways of focusing narrowly on arms shipments, rather than focusing in a blanket way on stopping everything and then in a piecemeal way allowing things into Gaza.³³⁸

Obama concluded that US officials would be conducting 'hard-headed discussions with Israelis' regarding amendments to their blockade policy.³³⁹ Subsequently, on 17 June 2010, the Israeli government announced a plan to 'liberalize the system by which civilian goods enter Gaza,' while still maintaining existing security procedures to limit the inflow of weapons and war materiel.³⁴⁰ After gaining the approval of his Security Cabinet, Netanyahu launched officially the amended Israeli policy on 20 June 2010, and was joined notably by Quartet representative Tony Blair.³⁴¹

³³⁶ United Nations Security Council, "Report of the Secretary General on the Question of Palestine," p. 19.

³³⁷ For the full report, see: United Nations Human Rights Council, "Report of the International Fact-Finding Mission to Investigate Violations of International Law, Including International Humanitarian and Human Rights Law, Resulting From The Israeli Attacks on the Flotilla of Ships Carrying Humanitarian Assistance," General Assembly A/HRC/15/21: 27 September, 2010.

³³⁸ US Department of State, "Remarks By President Obama and President Abbas of the Palestinian Authority After Meeting," Washington, DC: 9 June, 2010.

³³⁹ Ibid.

³⁴⁰ Israel Ministry of Foreign Affairs, "Security Cabinet Decision," Jerusalem: 17 June, 2010.

³⁴¹ Israel Ministry of Foreign Affairs, "Prime Minister's Office statement following the Israeli Security Cabinet meeting," Jerusalem: 20 June, 2010.

The new Israeli policy towards Gaza reversed the logic of the existing restrictions, which had previously relied on a list of 'permitted' items to determine the entry of goods into the territory, and instead relied on a list of 'non-permitted' goods, allowing for the import of all other items into Gaza.³⁴² Additionally, the policy allowed for the limited importation of construction materials for United Nations-approved reconstruction projects in Gaza, and a general boost to the production capacity of the various crossings into the territory.³⁴³ According to Netanyahu, Blair was an important part of the negotiations surrounding the liberalisation of Israel's blockade policy, and the Prime Minister thanked Blair for his 'statesmanship' and for his 'friendship'.³⁴⁴ The United States was quick to welcome the Israeli announcement,³⁴⁵ and in his 6 July meeting with Netanyahu, Obama also noted that the Quartet had been 'very helpful' in securing 'real progress on the ground,' in Gaza.³⁴⁶

The Quartet members noted on 21 June 2010 that:

...the Quartet and the Quartet Representative have worked with Israel, as well as consulting the Palestinian Authority, Egypt, and other concerned parties, to effect a fundamental change in policy in Gaza. The new policy towards Gaza just announced by the Government of Israel is a welcome development.³⁴⁷

Furthermore, the Quartet statement urged 'all those wishing to deliver goods to do so through established channels so that their cargo can be inspected and transferred via land crossings into Gaza.'³⁴⁸

While the easing of the Israeli blockade of Gaza failed to address the fundamental issues concerning the international relationship with the Hamas government, it did provide diplomatic breathing space for the resumption of indirect negotiations. On 6 July 2010, Netanyahu met with Obama, and declared that it was 'high time' for the parties to resume direct talks.³⁴⁹ With the Israeli settlement moratorium set to expire in

³⁴² For an in-depth official explanation of the specifics of this policy by the Israeli government, see: Israel Ministry of Foreign Affairs, "Briefing: Israel's New Policy Towards Gaza," Jerusalem: 5 July, 2010.

³⁴³ Israel Ministry of Foreign Affairs, "Prime Minister's Office statement following the Israeli Security Cabinet meeting."

³⁴⁴ Israel Ministry of Foreign Affairs, "Remarks by PM Netanyahu and Tony Blair, Quartet Envoy to the Middle East," Jerusalem: 20 June, 2010.

³⁴⁵ US Department of State, "Statement by the Press Secretary on Israel's announcement on Gaza," Washington, DC: 20 June, 2010.

³⁴⁶ US Department of State, "Remarks by President Obama and Prime Minister Netanyahu of Israel in Joint Press Availability," Washington, DC: 6 July, 2010.

³⁴⁷ US Department of State, "Statement by the Middle East Quartet," Washington, DC: 21 June, 2010.

³⁴⁸ Ibid.

³⁴⁹ US Department of State, "Remarks by President Obama and Prime Minister Netanyahu of Israel in Joint Press Availability."

September, Obama agreed, declaring that he hoped to restart direct negotiations as a means to 'create a climate in which everybody feels a greater investment in success.'³⁵⁰ In pursuit of this objective, Mitchell travelled to the region on 17 July, and again on 10 August.³⁵¹ The culmination of these efforts was the 20 August 2010 announcement of the resumption of bilateral negotiations between the Israelis and Palestinians.³⁵²

These talks were scheduled to take place on 1 September 2010, and to include bilateral discussions with President Obama, followed by a dinner at the White House. Notably, alongside President Mubarak of Egypt and King Abdullah of Jordan, Quartet representative Blair was also invited to attend the dinner, in 'view of his important work to help Palestinians build the institutions of their future state.'³⁵³ When US envoy Mitchell was asked to explain Blair's invitation further, he noted that:

We think it important that there be a broad basis of international support. We take seriously the Quartet's role, and that's reflected in Prime Minister Blair's presence at the dinner tomorrow evening.³⁵⁴

Further commendations for the recent efforts of the Quartet members followed in press conference after the announcement, where Mitchell noted the 'enormous support and assistance' he had received from the other members of the Quartet.³⁵⁵ Mitchell noted further that the sustained and active role of the United States in urging the parties to resume bilateral negotiations had been aided by the 'full participation, full input, full consultation,' and 'full support' of a 'wide variety of allies whose efforts have been extremely important getting us to this phase and will be extremely important in reaching a conclusion.'³⁵⁶ Later on the same day, the Quartet members issued a statement reaffirming their 'strong support' for direct negotiations, and noting that the parties should aim to complete an agreement within one year.³⁵⁷ As the following section

³⁵⁰ Ibid.

³⁵¹ US Department of State, "Special Envoy Mitchell Returns to the Middle East to Urge Peace Talks," Ramallah, West Bank: 10 August, 2010.

³⁵² US Department of State, "Briefing on Middle East Peace Process," Washington, DC: 20 August, 2010.

³⁵³ Ibid.

³⁵⁴ US Department of State, "Press Briefing by Special Envoy for Middle East Peace Senator George Mitchell," Washington, DC: 31 August, 2010.

³⁵⁵ Mitchell noted that these members included: 'the United Nations under Secretary General Ban Ki-moon, who has been extremely helpful in this process; the European Union, with Lady Ashton as the Foreign Minister; and the – Russia, with Foreign Minister Lavrov, have all been active and very helpful along with other European states.' See: US Department of State, "Briefing on Middle East Peace Process."

³⁵⁶ Ibid.

³⁵⁷ US Department of State, "Statement by the Quartet," Washington, DC: 20 August, 2010.

demonstrates, the parties were unable to sustain more than two bilateral meetings before the process collapsed.

The Collapse of the Negotiations Process

While the parties to the conflict announced, on 2 September 2010, that the bilateral process had been officially 'relaunched,' the issues that had plagued the previous two years of the peace process remained unchanged.³⁵⁸ Indeed, Netanyahu declared that the 'two pillars of peace' that would enable the parties to resolve the outstanding issues remained 'legitimacy and security,' and to the Palestinian representatives present, he noted that:

Just as you expect us to be ready to recognize a Palestinian state as the nation-state of the Palestinian people, we expect you to be prepared to recognize Israel as the nation-state of the Jewish people.³⁵⁹

In an obvious rebuff to the Israeli Prime Minister, Abbas argued that the 1993 Oslo Accords remained a relevant document of mutual recognition between the Israeli and the Palestinian peoples, and that no further declaration was necessary on this issue because 'we respect our commitments and our agreements.'³⁶⁰ Despite the parties to the conflict still disagreeing over the terms of reference for their negotiations, Mitchell announced that the second round of direct talks would take place on 14 and 15 September and would be followed by further meetings two weeks thereafter, and 'every two weeks thereafter.'³⁶¹

With the Israeli settlement moratorium due to expire on 26 September 2010, the second round of bilateral negotiations, hosted by Egypt at Sharm el-Sheikh, was overshadowed by efforts to extend the deadline. In a 10 September 2010 press conference, Obama urged Israel to extend the settlement moratorium, and noted that the issue was a 'major bone of contention' between the parties.³⁶² With Abbas declaring that he would not

³⁵⁸ Israel Ministry of Foreign Affairs, "The Relaunching of Peace Talks: US Secretary Clinton, Israel PM Netanyahu and PA President Abbas," Washington, DC: 2 September, 2010.

³⁵⁹ Ibid.

³⁶⁰ Ibid.

³⁶¹ US Department of State, "Briefing by Special Envoy for Middle East Peace George Mitchell on Middle East Peace Talks," Washington, DC: 2 September, 2010.

³⁶² US Department of State, "Press Briefing By President Obama," The White House: 10 September, 2010.

continue talks in the absence of an extension, and Netanyahu declaring that no such extension would be granted, the bilateral process had reached an impasse.³⁶³

Seeking to avert the collapse of the political process, the Quartet members issued their 47th statement on 21 September 2010, noting that 'the commendable Israeli settlement moratorium instituted last November has had a positive impact,' and 'urged its continuation.'³⁶⁴ When the settlement moratorium ended on 26 September 2010, Abbas declared that he would require authorisation from the Arab League in order to continue negotiations, thus allowing the United States time to pursue an Israeli extension.³⁶⁵ Ultimately these efforts were unsuccessful, and on 8 October 2010, the Arab League 'endorsed the decision of the Palestinian leadership to halt talks with Israel over renewed construction in West Bank settlements.'³⁶⁶ Notably, President Abbas refused to rule out categorically a return to indirect negotiations, and in the period that followed the United States attempted to return the parties to a political framework. These attempts included a trip to the region by Clinton on 11 November,³⁶⁷ and a follow-up trip to the region by Mitchell on 13 December 2010.³⁶⁸ Ultimately, both efforts ended in failure, and as 2010 drew to a close, Palestinian officials began to express their interest in pursuing political objectives outside of existing frameworks with Israel or the United States.

Indeed, with the prospects for a negotiated solution at their lowest point in years, Palestinian leaders placed greater emphasis on the ongoing state-building process of Prime Minister Salam Fayyad.³⁶⁹ Launched with little fanfare in August 2009, Fayyad's two year plan sought to lay the groundwork for the creation of a Palestinian state by August 2011 through a process of Palestinian institutional development, and economic cooperation with Israel and the United States.³⁷⁰ The Quartet members had endorsed

³⁶³ Ravid, B., "Israel and Palestinians Clash Over Agenda for Direct Peace Talks," *Haaretz*, 12 September, 2010.

³⁶⁴ US Department of State, "Statement by the Quartet."

³⁶⁵ Reuters, "Abbas: Settlement Construction Will 'Force' Us to Quit Talks," *Haaretz*, 28 September, 2010.

³⁶⁶ Reuters, "Arab League Endorses Palestinian Decision to Halt Peace Talks," *Haaretz*, 8 October, 2010.

³⁶⁷ Israel Ministry of Foreign Affairs, "Joint statement by PM Netanyahu and US Sec Clinton," Washington, DC: 11 November, 2010.

³⁶⁸ Israel Ministry of Foreign Affairs, "Remarks Before Meeting Between PM Netanyahu and US Special Envoy Mitchell," Jerusalem: 13 December, 2010.

³⁶⁹ For an in-depth analysis of the evolution of the Fayyad state-building project, see: Danin, R., "A Third Way to Palestine: Fayyadism and its Discontents," *Foreign Affairs* 90, no. 1 (2011).

³⁷⁰ International Crisis Group, "Tipping Point? The Palestinians and the Search for a New Strategy," p. 22.

Fayyad's strategy on numerous occasions, and had noted particular support for the cooperation between Quartet representative Blair and Fayyad on this project.³⁷¹

In 2011, the Middle East was shaken by a series of popular uprisings in Arab countries, unconnected to the Israeli-Palestinian conflict. By 13 May 2011, Mitchell had resigned, citing the end of his two year appointment, and his desire to return to his family.³⁷²

Consequently, Palestinian frustrations were channelled into efforts to seek recognition of the Palestinian state-building project at the United Nations, and the prospects of a negotiated solution to the Israeli-Palestinian conflict diminished further.³⁷³

³⁷¹ The 24 September 2009 Quartet statement had welcomed 'the Palestinian Authority's plan for constructing the institutions of the Palestinian state within 24 months as a demonstration of the PA's serious commitment to an independent state that provides opportunity, justice, and security for the Palestinian people and is a responsible neighbor to all states in the region.' See: US Department of State, "Joint Statement by the Quartet."

Furthermore, the 19 March 2010 Quartet statement had noted that: 'The Quartet endorses fully the efforts of the Quartet Representative in support of Prime Minister Fayyad's state-building and economic development program which has seen significant improvement in the Palestinian Authority's performance with respect to security and law and order and improved economic growth.' See: US Department of State, "Joint Statement by the Quartet ".

³⁷² US Department of State, "Statement by the President on the Resignation of Middle East Envoy George Mitchell," Washington, DC: 13 May, 2011.

³⁷³ For expert analysis of this period, see: Malley, R. and Agha, H., "Who's Afraid of the Palestinians?," *The New York Review of Books*, 10 February, 2011.

Chapter Nine: Conclusion – The Outcomes of the Quartet, 2001-2011

Diplomacy is always a judgement call about how much you should declare that certain things must happen when you cannot deliver them, and how much you should focus on what you can deliver, what can build more confidence and trust between the parties, what can create more political space for the parties to do some of these things that otherwise they're not doing. These are difficult judgement calls, and we're constantly debating them and discussing them and arguing them.

- United Nations official.¹

Without its special relationship with Israel, American would have little influence in Arab-Israeli peacemaking. That simple fact is one of the best-kept secrets of American diplomacy.

- Aaron David Miller, senior advisor on Arab-Israeli negotiations to United States Secretary of State Colin Powell (2001-2003).²

Introduction

The previous chapters established the factors that underpinned the formation of the Quartet, and contextualised the work of the grouping in relation to the Israeli-Palestinian conflict from 2001-2011. This concluding chapter evaluates the results of the grouping's deliberations and actions in aggregate throughout this period, focusing less on what the Quartet did, and more on an assessment of its performance. It examines the extent to which the Quartet members achieved their various objectives throughout the period of analysis. It also offers a more general discussion of the utility of the Quartet as a mechanism for both harmonisation and collaboration efforts.

The chapter argues that the fundamental characteristics of the Quartet, including its membership and practices, dictated the outputs and shaped to a large extent the eventual outcomes of the grouping's efforts. While the design of the Quartet excluded the parties to the conflict, the internal decision-making processes of the grouping could not be isolated from regional developments, nor could the Quartet members ensure that their policies would be implemented without cooperation from the Israelis and Palestinians.

Furthermore, although the Quartet's consensus-based approach allowed for robust internal discussion and disagreement, it also often led to the dilution of the grouping's normative influence, and frequently reduced statements to the lowest common denominator. In both the creation and implementation of Quartet positions, the United

¹ UN official. Interview with the author, Jerusalem, November, 2011.

² Miller, A. D., *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace* (New York: Bantam Books, 2008), p. 79.

States consistently protected its role as the primary third-party actor in the Middle East peace process, and much of the Quartet's work functioned to legitimise and promote US initiatives.

The fundamental constraints and paradigms of the Israeli-Palestinian conflict also played a significant role in limiting the utility of the Quartet as an actor in this context, often more than any particular policy or initiative that the Quartet pursued as a group.³ As the previous chapters have demonstrated, from 2001-2011, the Quartet members adapted their work to fit the changing nature of the conflict, and in response to specific developments in the region.⁴ In many cases, regional developments, especially those that originated in Israel, altered the discourse of the peace process, and derailed Quartet initiatives.⁵

However, neither regional setbacks nor internal Quartet disagreements and limits to its influence represented a failure of the Quartet as a mechanism. Indeed, it is argued that both the formation and flexible and informal operation of the Quartet matched reasonably well and realistically the needs and capabilities of its members, and the key global and regional paradigms (especially regarding the US-Israel relationship). Disagreements between the Quartet members, or miscalculations made by them, were not caused by the Quartet mechanism itself.

This chapter is divided into three main sections, each focusing on a different – but still related – aspect of Quartet activity. Section One examines the strengths and limitations of the Quartet as a mechanism for the pursuit of collective outcomes within the context of the Israeli-Palestinian conflict. It concludes that the Quartet had a limited ability to influence the policies of Israel, and the United States maintained its role as the key third-party mediator within the peace process at the expense of an enhanced role for the Quartet. Section Two examines the strengths and limitations of the Quartet as a mechanism for its members to pursue their individual organisational and national goals within the context of the Middle East peace process. This section concludes that the

³ A UN official argued: 'It's hard to determine how much of this reflects the fundamental intractability of the conflict, and also the multiple complexities of international politics surrounding the issue, and how much of it is the Quartet's shortcomings as an instrument. My analysis is more the former.' UN official. Interview with the author, Jerusalem, November, 2011.

⁴ For example, in 2005 the Quartet members created a Quartet envoy position for former World Bank President James Wolfensohn in order facilitate his involvement in the Israeli disengagement from Gaza on their behalf.

⁵ For example, the way in which Prime Minister Sharon's disengagement plan sidelined the Roadmap implementation process.

factors that underpinned the formation of the Quartet remained relevant for each of the Quartet members throughout the period of analysis, and that the primary role of the grouping within this context was as a mechanism for the harmonisation of competing policies among the members. Section Three briefly examines the continuation of the Quartet, including the extent to which the Quartet can or might be improved as a mechanism. It concludes that the design of the Quartet is based on the requirements of its members, and that any modification to the central components of the grouping – namely the informal and consensus-based approach – could render the Quartet either undesirable or unnecessary for its members. Thus, any significant changes in the outputs or outcomes of the Quartet must originate in changes to the foreign policies of the Quartet members rather than in changes to the nature of the grouping. Finally, the chapter concludes by revisiting the research question, and summarising the findings of the thesis.

Critiquing the Quartet

Before beginning Section One, it is important to identify and address the key challenges of determining the outcomes of the Quartet. Firstly, the work of the Quartet members was not a discrete historical event that can be contained neatly within a defined period. While this thesis established the key historical precedents to the Quartet and examined the work of the grouping within a ten year window, this timeframe reflects both the practical constraints of the thesis as well as the emerging factors in the Middle East that complicated further analysis of the grouping. The Israeli-Palestinian conflict does not exist in isolation from the broader regional context, and recent changes to this context necessarily led to changes in the political and strategic calculations of the Israelis and Palestinians as well as global actors with interests in the region.⁶ Thus, despite the Arab uprisings of January 2011 marking the end-point of the analysis of the outputs of the Quartet, the grouping has continued to work and to evolve.

⁶ Agha and Malley argue that the Arab Uprisings threaten to complicate further the Israeli-Palestinian conflict, and to diminish the prospects for resolution: 'In the age of Arab Islamism, Israel may find Hamas's purported intransigence more malleable than Fatah's ostensible moderation. Israel fears the Islamic awakening. But the more immediate threat could be to the Palestinian national movement. There is no energy left in the independence project; associated with the old politics and long-worn-out leaderships, it has expended itself. Fatah and the PLO will have no place in the new world. The two-state solution is no one's primary concern. It might expire not because of violence, settlements, or America's inept role. It might perish of indifference.' See: Malley, R. and Agha, H., "This is Not a Revolution," *The New York Review of Books*, 8 November, 2012.

Secondly, throughout the period of analysis neither the Quartet itself nor the nature of the Israeli-Palestinian conflict remained static. Personnel changes affected the performance of the grouping,⁷ and the members utilised the Quartet in differing ways over time in response to regional and organisational contexts. For example, the Quartet has been used as tool for exerting normative pressure on the parties to the conflict, developing a framework for the resolution of the conflict, caucusing with regional actors, fundraising and institution building, laying the foundations for UN Security Council action, and supporting and legitimising US initiatives. Furthermore, as a UN official noted, these variations in Quartet activities were carried out by the members in a way that was ‘constantly discussed, but never fully defined.’⁸ Thus, the fluid and ambiguous nature of the Quartet during the period of analysis makes both general and specific conclusions about the effectiveness of the grouping problematic, as its effectiveness varied depending on context and application. Compounding this problem was the changing nature of the Israeli-Palestinian conflict, which underwent several paradigm shifts during the period of analysis.

The challenge in assessing the work of the Quartet members, therefore, is that the many changes in the social, political and economic conditions in both Israel and the Palestinian territories from 2001-2011 cannot be isolated as factors. In essence, the Quartet members were not able to take action independently from prevailing political and strategic contexts that were, in many respects, fluid. Consequently, even in the context of the emergence and promotion of the Roadmap, it is difficult to identify clear-cut changes to political or policy baselines which might assist in determining the exact impact of the Quartet alone, or which could enable one to draw absolute conclusions about the grouping’s performance.

Finally, and inseparable from the above, there was no ‘non-Quartet’ scenario with which to compare the record presented in this thesis. Given that the Quartet acted as a conduit for the competing agendas of its members within a multifaceted environment, determining the exact extent of the Quartet’s impact within this environment is highly problematic. Conclusions regarding what might have occurred in the absence of the Quartet, therefore, are neither feasible nor constructive.

⁷ At the time of the 21 September 2010 Quartet statement (the final Quartet statement discussed in this thesis) no principal or envoy to the Quartet remained from the formation of the grouping. As a grouping inherently designed to rely on interpersonal cooperation and with little to no organisational structure, the changing nature of Quartet personnel inherently affects the outputs and outcomes of the grouping.

⁸ UN official. Interview with the author, Jerusalem, November, 2011.

Likewise, recommendations concerning alternate policies or positions that the Quartet members *should* have taken within any given regional context are also unhelpful. This problem also complicates discussions of the value of the Quartet as a tool for reducing competition between its members or preventing a total regression of the Israeli-Palestinian relationship, because both positions rely on the absence of an occurrence as evidence of success. These variables are not just unknown, they are unknowable.

For these reasons, a 'report card' style evaluation of the Quartet members that measures the effectiveness of the grouping in isolation from its organisational and regional context, and in relation to a handful of key metrics, is much more likely to misrepresent the Quartet itself, or to misunderstand the nature of the Israeli-Palestinian conflict. One example of such an assessment is the September 2008 Oxfam International 'Progress Report' on the work of the Quartet.⁹ The report evaluated the Quartet members on the basis of progress made in several key areas of the Israeli-Palestinian conflict.¹⁰ It relied on a single Quartet statement to establish the objectives of the Quartet members, and provided no explanation of either the internal decision-making processes of the grouping or of the responses of the parties to the conflict to Quartet initiatives.

Ultimately, the report concluded that the Quartet had failed in almost every objective it had laid out (as determined by Oxfam), and argued that the grouping needed to 'hold all parties accountable to their obligations under international law through the implementation of tangible measures to ensure accountability and prevent impunity.'¹¹ In addition, the report recommended that the Quartet members should 'channel greater efforts into bringing a swift end to the blockade of Gaza and reinstating the Agreement on Movement and Access,' and to take 'concrete measures' to address the Israeli closure policy in the West Bank.¹² Without further elaboration on the form these measures might take, such analysis brings little value to discussions of either the Quartet as a mechanism or the Israeli-Palestinian conflict more generally, and more recent work from other scholars repeats this formula.¹³ By downplaying or ignoring the complexities

⁹ Oxfam International, "The Middle East Quartet: A Progress Report," 25 September, 2008, p. 6.

¹⁰ Specifically, these areas were 'settlements, access and movement, Gaza, Palestinian security sector reform, donor pledges, and the revival of private sector activity in the occupied Palestinian territories.'

See: Ibid., p. 4.

¹¹ Ibid., p. 24.

¹² Ibid., p. 12.

¹³ Tocci's 2013 analysis of the Quartet reviews key actions taken by the members and evaluates the grouping through a 'multilateralist' framework. Consequently, the author concludes that the Quartet was an ineffective mechanism for collective action, but fails to examine the role played by the parties to the

of Quartet behavior, such research exaggerates the capabilities of the Quartet members to affect change within the peace process, and understates the extent to which the Israelis and Palestinians are able to resist or undermine the efforts of third parties within this same context. As argued previously, it is important to maintain a distinction between the *failings* of the Quartet in regard to its actual or perceived objectives, and the *limitations* of the Quartet in pursuit of those objectives.

Consequently, this thesis has adopted a complex and comprehensive approach to examining the Quartet that attempts – to the maximum extent possible – to present a complete picture of Quartet behaviour. In evaluating this behaviour in aggregate, this chapter discusses the strengths and limitations of the Quartet as a platform for achieving either individual or collective outcomes for its members. It focuses more on observable *trends* in the work of the Quartet members than it does on specific Quartet responses to individual events, which have been discussed in detail in the previous chapters. This chapter concludes that the Quartet has significant limitations as a tool for its members, but none that preclude arguments for the continuation of the grouping.

Section One: The Collective Outcomes of the Quartet

However vehemently they may deny it, Palestinians secretly latch on to the belief that the US will someday save them; Israelis cling to the notion that the US will forever protect them. Too often, both display greater interest in gaining America's support than in persuading each other.

- Robert Malley and Hussein Agha.¹⁴

If the Israelis are not going to deal with the Quartet and are only going to deal with the United States, then either we all don't play, or one of us plays a more significant role, and it ended up the latter almost all the time.

- Daniel Kurtzer, United States Ambassador to Israel (2001-2005).¹⁵

The Quartet is underpinned by the notion that the parties to the conflict are inherently unable to resolve their differences without outside intervention.¹⁶ The most effective

conflict in responding to, and acting as the stimulus for, Quartet initiatives. See: Tocci, N., "The Middle East Quartet and (In)effective Multilateralism," *Middle East Journal* 67, no. 1 (2013).

¹⁴ Malley, R. and Agha, H., "Who's Afraid of the Palestinians?," *The New York Review of Books*, 10 February, 2011.

¹⁵ Kurtzer, D., Former United States Ambassador to Israel, interview with the author, Princeton, NJ, October, 2011.

¹⁶ Kurtzer and Lasensky argue that 'simply stated, large asymmetries of power require a robust third-party role. Power dynamics in the Israeli-Palestinian conflict are deeply unbalanced, leaving the parties unable to reach viable negotiated arrangements on their own.' Kurtzer, D. and Lasensky, S., *Negotiating Arab-*

forms and functions of such interventions, however, were a matter of constant debate between the Quartet members, who sought to maximise their collective influence within the established constraints of the peace process. These constraints, especially stemming from the nature of the US-Israel relationship, played a central role in determining the collective outcomes of the Quartet from 2001-2011.

The strengths of the Quartet as a vehicle for collective outcomes largely reflected the capacity of the grouping to support fundraising and state-building initiatives, and the extent to which the Quartet was utilised as a platform for normative influence.

However, in neither sphere did the Quartet demonstrate unqualified success.

Throughout the period of analysis, there were numerous examples of the Quartet members either leading or facilitating international fundraising efforts in support of Palestinian state-building or humanitarian projects.¹⁷ The extent to which such efforts produced lasting outcomes within the context of the Israeli-Palestinian conflict, however, was largely dictated by the political processes within both the region and the Quartet itself. For example, Quartet envoy James Wolfensohn raised substantial funds in support of Palestinian agricultural projects in the Gaza Strip during the disengagement period, but his efforts were ultimately undermined by both US and Israeli handling of the Agreement on Movement and Access.¹⁸ Another such example was the creation of the Temporary International Mechanism (TIM) in June 2006 by the Quartet members – at the insistence of European officials – as a tool for channelling funds to President Abbas during the Palestinian fiscal crisis.¹⁹ While the TIM was an important mechanism for addressing the payroll deficits within the Palestinian Authority at the time, it was only made necessary by the international financial and political boycott of the Hamas-led government championed by the Quartet members during 2006. This demonstrated that the Quartet had the capacity to marshal the fundraising potential of the international community, but that the outcomes of such activities were

Israeli Peace: American Leadership in the Middle East (Washington, DC: United States Institute of Peace Press, 2007), p. 7.

¹⁷ For example, the participation of the Quartet in the Task Force on Palestinian Reform in July 2002, the London conference on Palestinian state-building in March 2005, and the Paris donor conference of 2007 discussed in the previous chapters.

¹⁸ Wolfensohn concluded that the funds raised in support of the Palestinian greenhouse project in the Gaza strip (left by departing Israeli settlers), were ultimately squandered by the continuation of Israeli restrictions, supported by the United States, on the export of goods from Gaza in the aftermath of the disengagement (*Chapter Six: The Disengagement Process*).

¹⁹ As *Chapter Seven: The Palestinian Divide* established, the TIM was proposed and developed by European Commissioner Benita Ferrero-Waldner, and was only accepted reluctantly by the US as a mechanism that the Quartet should publicly endorse.

subject to political constraints the Quartet members showed only limited success in mitigating.

Likewise, as a normative instrument, the collective outcomes of the Quartet members were varied. The Quartet demonstrated a capacity to withstand both regional and organisational change, and provided a forum for its members to channel their messages to the Israelis and Palestinians. However, while the Quartet statements functioned as an important record of the discourse of the peace process – and the work of the members within it – the extent to which these statements had tangible impacts on the parties to the conflict was both limited and unequal. The consensus-based approach to statement authorship resulted in the frequent dilution of Quartet messaging throughout the period of analysis, and even to the complete cessation of Quartet activity during periods of regional upheaval.²⁰ As a Palestinian aide to President Abbas, Mohammed Shtayyeh, declared publicly in 2012:

The Quartet has been useless, useless, useless... the statements of the Quartet really meant nothing because [they were] always full of what they call constructive ambiguity that really took us nowhere... You need a mediator who is ready to engage and who is ready to say to the party who is destroying the peace process 'You are responsible for it.'²¹

The extent to which the Quartet could act as a mechanism for such 'robust' diplomatic statements, however, was entirely reliant on the level of agreement among its members to adopt such an approach. The nature of the US-Israel relationship made such normative clarity a rare occurrence.²²

Thus, the central challenge for the Quartet members was translating their common positions into tangible results on the ground, often in the absence of a strong internal consensus. For this reason some Quartet members asserted that the grouping functioned best as a 'buffer,' maintaining the semblance of a 'process' in the midst of deep

²⁰ *Chapter Four: The General Practices of the Quartet* established that the frequency of Quartet statements was closely linked to regional circumstances, and that the most divisive periods in the region often coincided with extended periods of Quartet inaction.

²¹ Kalman, M., "'Useless, Useless, Useless': The Palestinian Verdict on Tony Blair's Job," *The Independent*, 16 December, 2012.

²² The 19 March 2010 Quartet statement was described by a UN official as a 'highpoint of Quartet normative clarity.' Crucially, and as established in *Chapter Eight: The Post-Annapolis Period*, this statement took place within the context of strained relations between the Netanyahu and Obama Administrations over the announcement of an Israeli settlement project during the visit of Vice President Biden. The statement made clear references to international law, condemned the Israeli housing announcement, and called for a total freeze on Israeli settlement construction. See: US Department of State, "Joint Statement by the Quartet " Moscow, Russia: 19 March, 2010.

divisions between the parties to the conflict, and preventing a full-scale regression of the Israeli-Palestinian relationship.²³ This claim is challenged by two interrelated examples during the period of analysis. Firstly, in December 2008, the Quartet members attempted to preserve the political progress that had been made between President Abbas and Prime Minister Olmert by facilitating UNSCR 1850, which declared that bilateral negotiations were ‘irreversible.’²⁴ This resolution was followed by Israeli Operation Cast Lead and by the election of Prime Minister Netanyahu, both of which altered the Israeli-Palestinian political landscape, and upturned the negotiations process. Secondly, during Operation Cast Lead, when Israeli-Palestinian violence reached a critical level, the members of the Quartet were unable to reach a common position on the issue.²⁵ While such a position would have provided no guarantee of an Israeli withdrawal – especially when UNSCR 1860 failed to do so – the inability of the Quartet members to form a common position in a moment of crisis calls into question the utility of the grouping as a ‘buffer’ during periods of violence. In both instances, neither the Quartet members nor the UN Security Council were able to prevent or reduce diplomatic or security crises between the Israelis and Palestinians.²⁶ As a protector of the Middle East peace process, the Quartet can be easily divided or ignored, particularly by Israel.

Thus, the central limitation of the Quartet as a vehicle for collective action was the inability of the grouping to influence the policies of Israel. This inability stemmed from both Israeli opposition to the ‘internationalisation’ of the conflict,²⁷ and from the US preservation of its exclusive relationship with Israel – and corresponding role as the primary third-party in the MEPP.²⁸ Two related trends stemmed from this central

²³ Jouret, C., Middle East Advisor, European External Action Service (EEAS), interview with the author, Brussels, November, 2011.

²⁴ United Nations Security Council, "Resolution 1850: The Situation in the Middle East, Including the Palestinian Question," S/RES/1850: 16 December, 2008.

²⁵ *Chapter Eight: The Post-Annapolis Process* established that the US prevented effective Quartet action during this context, and also delayed the UN Security Council response to Operation Cast Lead.

²⁶ For this reason, the Quartet member's demonstrated ability to facilitate supportive UN Security Council Resolutions, such as UNSCR 1397 and UNSCR 1515, is undercut by Israel's equally established ability to resist the demands of such resolutions.

²⁷ Heller argued that Israel's resistance to an enhanced international role in the conflict reflected the asymmetry between the two parties: 'In conflicts, especially international conflicts, the stronger party is more resistant to internationalisation of the conflict and the weaker party is more welcoming of internationalisation of the conflict. And you find this everywhere; it's not just an Israeli peculiarity.' Heller, M., Principal Research Associate at the Institute for National Security Studies, Tel Aviv University, interview with the author, Tel Aviv, November, 2011.

²⁸ de Soto expands on the nature and rationale of US leadership within this context: 'There is a curious asymmetric coincidence between Israel and the Palestinians regarding the US's third-party role in negotiations between them: when push comes to shove Israel can accept an intrusive US third-party role

limitation of the Quartet. One was that the policies of the Quartet disproportionately affected the Palestinians, who were less able to resist international pressure than their Israeli counterparts, and the other was that the United States, in maintaining its bilateral prerogatives regarding Israel, became the guarantor of Quartet collective action.

The Roadmap process exemplified these associated dynamics. Firstly, Israel's resistance to a Quartet role in the peace process was evident in both the Israeli reservations to the Roadmap document,²⁹ and in Prime Minister Sharon's refusal to meet with the grouping as a collective.³⁰ In light of Israel's strong objections to a Quartet monitoring role, the United States assumed the position of Roadmap monitor to the exclusion of the other Quartet members.³¹ For UNSG Annan, US capitulation to Israeli preferences in this regard undercut the Roadmap implementation process:

The United States' unwillingness to contemplate empowering a joint platform that could criticise not just the Palestinians but Israel too undid much of the potential of the Roadmap.³²

It should be noted that the crux of the monitoring issue was not determining whether the parties were implementing their Roadmap commitments, but rather, determining what political consequences either the United States or the Quartet members were willing to

because they know that the US is a close ally which can be counted on not to betray it or even pull any surprises — the US usually floats proposals with the Israelis before presenting them to the Palestinians. Israelis also take advantage of their unique ability to influence the formulation of US policy. The Palestinians, for their part, accept and indeed have traditionally encouraged the US role because they believe that only the US, if anyone, can deliver Israel. These factors put the US in a quasi-indispensable position.' See: de Soto, A., "End of Mission Report," *The Guardian*, 12 June, 2007, p. 25.

²⁹ The fourth Israeli reservation specifically ruled out any 'combined or unified mechanism' to monitor the Roadmap, and stated that any verification activity would be the sole purview of the United States, and would only focus on Palestinian performance. See: Israel Ministry of Foreign Affairs, "Israel's Response to the Roadmap," Jerusalem: 25 May, 2003.

³⁰ *Chapter Five: The Roadmap Process* established that the Israeli Prime Minister refused to meet directly with the Quartet members when presented with the Roadmap document by US Ambassador to Israel, Daniel Kurtzer. An EU official noted later that Sharon was consistently able to 'restrain his enthusiasm' in regard to the Quartet in the subsequent period. Jouret. Interview with the author, Brussels, November, 2011.

³¹ Terje Roed-Larsen noted that this decision reflected US concerns the entire process might be derailed by this issue: 'The Israelis were always massively and monumentally and totally resistant to any monitoring mechanism. So we pushed very hard for it, but what, in particular, the Americans emphasised is that there is no way that you will get the Israelis to move along if there is a monitoring mechanism. So what was agreed a long time ago was that the Americans would basically monitor, and then report to the Quartet. But that's still too weak, and this is one of the major weaknesses of the Roadmap, as I see it.' Roed-Larsen, T., Former United Nations Special Coordinator for the Middle East peace process, interview with the author, New York City, October, 2011.

³² Annan, K., *Interventions: A Life in War and Peace* (New York: Penguin Press, 2012), p. 284.

impose for non-compliance.³³ With the United States allowing for an ambiguous Israeli interpretation of the Roadmap's sequencing and core components, and actively excluding the other Quartet members from the implementation process,³⁴ such consequences – especially concerning Israel non-compliance – were politically unlikely.³⁵ Accordingly, the Roadmap process became skewed towards Israel's requirements of the Palestinians.³⁶ Notably, the presentation of the Roadmap document to the Palestinians became conditional upon the appointment, by Arafat, of an 'empowered' Prime Minister, and the early focus of the Quartet members revolved entirely around Palestinian security sector reform.³⁷

While the Quartet members struggled as a collective to influence the policies of Israel, two qualifications to this conclusion are necessary. Firstly, throughout the period of analysis, the United States also had limited success in influencing the policies of Israel, particularly in the security sphere. Secondly, the parties to the conflict were both capable – albeit to varying extents – to resist third-party intervention in the peace process, and the driving forces for regional change were often the result of the decisions made by the Israelis and Palestinians.

While some have argued that the United States lacks the willpower to exert pressure on their Israeli counterparts, the nature of the US-Israel relationship also involves limitations on the circumstances in which the United States is *capable* of influencing Israel.³⁸ This distinction was emphasised by Kurtzer, who argued that what the United

³³ As a UN official noted: 'We all know what is happening with settlements, or rocket smuggling, or incitement, it's not that we don't know it. The issue there would be, is there a political consensus about what to do about it?' UN official. Interview with the author, Jerusalem, November, 2011.

³⁴ As discussed previously, the US response to the Israeli reservations was to proceed on the basis that such issues would be 'addressed' but without signaling specific acceptance of them. The launch of the Roadmap at Aqaba in June 2003 excluded the non-US Quartet members, with President Bush meeting directly with Abbas and Sharon.

³⁵ Kurtzer noted that there are three components to effective monitoring: 'There's monitoring, there's accountability, and then there's the implications of failure. And none of those was really done right. There was *some* monitoring done, but the other two, no.' Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

³⁶ EU official Christian Jouret noted that the Palestinians were in 'no position to refuse the Quartet,' during the early work of the grouping, and that the Quartet became a way to 'pressure the Palestinians to do more on security.' Jouret. Interview with the author, Brussels, November, 2011.

³⁷ Kurtzer noted that the early work of the Quartet 'focused almost entirely on the Palestinian side,' in response to the fact that: 'We found that the Israelis didn't like the Quartet particularly, even though they may have liked each individual component, and that they basically wouldn't deal with the Quartet as a Quartet. So there was a lot of consulting and coordinating among the four, but in practical terms, most of the action then was directed towards the Palestinians, up to and including the Roadmap process.' Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

³⁸ Muasher argued that: 'The success or lack of success [of the Quartet] came because everybody deferred to the US, and the US did not have the political will to push this forward. So there was nothing the

States *can* do in relation to Israel and what the United States *wants* to do in relation to Israel are two separate issues that are often conflated.³⁹ These dynamics were also illustrated by Condoleezza Rice, in her explanation of US policy regarding Israel's Operation Defensive Shield in 2002:

First, there is an assumption, particularly among the Arabs and even the Europeans, that if the United States threatens Israel with diplomatic isolation or perhaps limitations on financial or military assistance, Israel will comply immediately and completely. That, of course, isn't true, particularly in the midst of a military operation deemed necessary for Israel's security by its democratically elected government. What is more, what U.S. President wants to threaten the United States' ally in this way when Israel is responding to an attack? Second, the President has to be careful because if he calls for the Israelis to stop and they do not, his credibility and that of the United States will be severely damaged.⁴⁰

Thus, throughout the period of analysis, the imbalance of power did not always dictate the outcomes of US efforts to influence Israel.⁴¹ Indeed, there were instances of the United States both choosing not to exert influence on Israel, and attempting to exert influence to little effect.⁴² A key example of the latter was the fluctuating US efforts to curb Israeli settlement construction.⁴³ Furthermore, throughout the period of analysis, Israeli leaders also demonstrated a clear capacity to influence US policies concerning the Middle East peace process. In particular, Ariel Sharon's successful efforts to secure political concessions from President Bush in the lead-up to the Israeli disengagement from Gaza. In short, while the success of Quartet initiatives relied on the support of the United States, it was not guaranteed by it.

Quartet could do, no matter what structure it had.' Muasher, M., Former Jordanian Foreign Minister and current Vice President for studies at the Carnegie Endowment for International Peace, interview with the author, Washington, DC, October, 2011.

³⁹ Kurtzer argued that the US has always maintained a differential approach to Israeli security concerns, and noted that if the US ever wanted to 'go to the mat' with Israel, it certainly could, but that the only area in which the US would be motivated to pursue such an approach would be security, where it has no intention of doing so.' Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

⁴⁰ Rice, C., *No Higher Honor: A Memoir of My Years in Washington*, 1st ed. (New York: Crown Publishers, 2011), p. 138.

⁴¹ Miller argues that: 'In conflicts where memory, identity, and history figure prominently, a great power – especially a great power from far away – has far less stake in a particular outcome than does a small power in the heart of the contested region.' See: Miller, *The Much Too Promised Land: America's Elusive Search for Arab-Israeli Peace*, p. 37.

⁴² According to Rice, during the 2006 Israel-Lebanon war, she resisted efforts at the G8 Summit to issue a statement calling for an Israeli ceasefire, noting to her colleagues that 'We can call for a ceasefire until we're blue in the face. It isn't going to happen until Israel has completed its operation.' Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 473.

⁴³ In particular, the Obama Administration's insistence on the need for a total settlement freeze in 2009 and 2010, and the ability of Prime Minister Netanyahu to resist such demands.

Furthermore, from 2001-2011, both the Israelis and the Palestinians demonstrated a capacity to shape regional events in the absence of outside involvement, and the Quartet members – including the United States – frequently operated in *response* to these developments. While the Quartet as a mechanism provided its members with a platform for the quick coordination of policy in the event of regional developments, it provided no guarantees that these policies would produce outcomes preferred by the Quartet members. As Otte noted:

The Israelis and Palestinians don't wait for westerners to come to them. They know each other. They work together privately and hate each other in public as they have always done. They're surprisingly close to each other at the same time as engaging in a zero-sum game.⁴⁴

An example of such coordination was the close working relationship between Israeli Prime Minister Olmert and Palestinian President Abbas throughout 2007 and 2008, which was supported – but not initiated – by the Quartet members. Similarly, the Quartet members were not able to prevent the outcome of the 2006 PLC elections, nor were they able to affect change in the organisational nature of Hamas in the post election period. Instead, the Quartet members operated in an unpredictable regional context, in which no single actor was decisive, but multiple actors could spoil. They attempted to shape regional developments as they emerged,⁴⁵ but were frequently limited in their capacity to produce meaningful outcomes in the region – regardless of the strength of their internal consensus.

The culmination of the Quartet's challenging internal and external environments was that much of the work of the grouping from 2001-2011 revolved around either supporting US initiatives, or promoting and maintaining the core terms of reference of the conflict.⁴⁶ It is in this latter category that Quartet insiders have relegated the Roadmap document, useful now only as a reminder to parties of their previous commitments, and as a 'baseline' for future efforts.⁴⁷ The danger of this approach, as

⁴⁴ Otte, M., Former European Union Quartet envoy, Interview with author, Brussels, November, 2011.

⁴⁵ A key example was the 2010 Gaza Flotilla incident, after which Quartet Representative Tony Blair, among others, leveraged international condemnation of IDF conduct to achieve an easing of the Israeli blockade on Gaza.

⁴⁶ One notable example was the Quartet's consistent support for the Arab Peace Initiative throughout the period of analysis. In addition to introducing the API into the terms of reference of the Roadmap, the Quartet members frequently noted the importance of the initiative to the final resolution of the Arab-Israeli conflict. For one such example, see: US Department of State, "Joint Statement of the Quartet," Berlin, Germany: 30 May, 2007.

⁴⁷ Annan described the Roadmap as: 'still the reference point around which any effort to re-energize a political effort on the Israeli-Palestinian track should be centred. It remains the only document of recent

Jouret noted, was that the Quartet was operating as a 'lifeline to a process that is dead,' essentially preserving the defunct notion that the parties to the conflict were able to resolve their differences through negotiations.⁴⁸ Furthermore, as the post-Annapolis period demonstrated, the conditions of the Roadmap document could be used by the parties to the conflict as a justification for both action and inaction. Ultimately, as a UN official noted, despite its imperfections, the Roadmap document will remain relevant until something better is created to replace it.⁴⁹ The same conclusion could be reached regarding the Quartet itself.

Section Two: The Individual Outcomes of the Quartet

The Quartet was, and still is I suppose, a genuine place where different players who have an interest in this region are consulting, confronting their positions, and influencing each other.

- Marc Otte, European Union Special Representative to the Middle East Peace Process (2003-2011).⁵⁰

Any grouping that operates on the basis of consensus is at the mercy of the lowest common denominator, and that denominator is defined by the United States, which has very serious qualms about exerting pressure on Israel.

- Alvaro De Soto, United Nations Special Coordinator for the Middle East Peace Process (2005-2007).⁵¹

The Quartet members did not each have a quarter of the power within the grouping. As a platform for diplomacy, the Quartet functioned as a microcosm of the broader dynamics that existed between its members, including their different characteristics and capabilities. In forming and continuing the Quartet, each of the members pursued both collective and individual outcomes within the context of the Middle East peace process. By default, the individual objectives of the Quartet members were less publicised, and thus more difficult to evaluate, than the collective objectives. From 2001-2011, a key justification for the Quartet by its members was as a mechanism for the reduction of competition and for coordinating policies concerning the Israeli-Palestinian conflict. The corollary benefit of membership for the non-US members was the enhancement of their profile and involvement in the Middle East peace process, even if this involvement

years accepted — albeit with substantial reservations by Israel — by Palestinian and Israeli leaderships alike, by the Arab States, and by the Security Council.' United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006, p. 12.

⁴⁸ Jouret. Interview with the author, Brussels, November, 2011.

⁴⁹ UN official. Interview with the author, Jerusalem, November, 2011.

⁵⁰ Otte. Interview with author, Brussels, November, 2011.

⁵¹ de Soto, "End of Mission Report," p. 25.

rarely extended beyond regular consultation with the United States on their policy preferences. Inherent within this process was a tension between US efforts to co-opt the other Quartet members into supporting US initiatives, and the remaining members' efforts to influence US policies and promote their own.⁵² This section examines the strengths and limitations of the Quartet as a mechanism for the pursuit of these individual objectives. It concludes that the flexible nature of the Quartet allowed each of its members to enhance their organisational interests through membership – even in the absence of meaningful collective outcomes within the peace process.

From an organisational standpoint, the Quartet was conceived as both a mechanism for the re-engagement of the US Secretary of State in the Middle East peace process (despite the hesitancy of the White House) and for the inclusion of input from international actors that had previously been excluded from this arena.⁵³ The concept of *harmonisation* was a key justification for this process, and, from 2001-2011, remained an important aspect of the work of the grouping. This notion was underpinned by the dual objectives of reducing destructive competition between key international actors, and potentially enhancing the aggregate bargaining position of the members vis-à-vis the parties to the conflict. As Kurtzer noted:

...as long as there is any outlet for either of the parties to escape the diplomatic approaches of outsiders, they will avail themselves of that outlet - especially if it's with their best friend, in the case of Israel and the US. When you shut down the exit points, then in a sense you're forcing the parties to confront some of these issues. It doesn't mean you're going to succeed but it reduces their degree of 'playfulness.' And in that respect, having a concerted international position, as much as we could, on some of these issues was quite important.⁵⁴

The Quartet provided a mechanism for the creation of common approaches by its members, but provided no guarantees that such approaches would deliver desirable outcomes in the region. For the Quartet members, the key question was whether a *less* coordinated approach between these same actors would have proven more effective within this context. As Powell argued during the Roadmap implementation process, in the absence of the Quartet, 'each member of the Quartet and many other individuals and

⁵² de Soto noted that: 'If you want something to happen, if you want the Quartet to do something, you have to get the US on board, that's the number one priority.' de Soto, A., Former United Nations Special Coordinator for the Middle East Peace Process, interview with the author, New York City, October, 2011.

⁵³ See *Chapter Three: The Formation of the Quartet*, for in-depth discussion of these organisational objectives.

⁵⁴ Kurtzer. Interview with the author, Princeton, NJ, October, 2011.

countries and organizations represented by the Quartet would be going off with different plans and suggestions every day of the week.⁵⁵

Determining the extent to which the Quartet prevented such an eventuality is problematic, because it relies on the absence of an outcome as proof of success. However, in this regard, a limited general observation is possible. While the period of analysis saw examples of Quartet member frustrations over the handling of divisive issues,⁵⁶ and Quartet member organisations seeking to play a more active role in regional developments,⁵⁷ there were no examples of Quartet members launching substantial competing initiatives within the context of the Middle East peace process. An important caveat to this observation is that it only applies to the non-US members of the Quartet. Indeed, as an EEAS official noted:

There is no doubt that when the United States chooses to have the lead role, it has that automatically. There is a sort of tacit agreement within the Quartet that we will support the United States in their efforts. This doesn't mean that we won't also push for our own interests, but the understanding tends to be that we wouldn't just go off and have our own initiative without consulting the Quartet. In a sense we're more 'faithful' to the Quartet than the United States. The United States will go off and do their own thing, but it's understood that they will, that's just the way the world is. In a way I think it's acknowledging everybody's capabilities and everybody's standing.⁵⁸

In essence, involvement in the Quartet benefitted its individual members unequally, because the members themselves were not equals. For the United States, as the most powerful third-party actor within the peace process, the Quartet served as a mechanism for reducing competing initiatives – from the European Union in particular – that also preserved their capacity to act unilaterally within this context. It allowed for collaboration, but did not impose it. Nor did the Quartet infringe on the US-Israel relationship, except in instances where it was encouraged to do so by the United

⁵⁵ US Department of State, "Press Availability With UN Secretary General Kofi Annan; Foreign Minister Franco Frattini of Italy in the Capacity of European Union Presidency; European Union High Representative Javier Solana; and Foreign Minister Igor Ivanov of the Russian Federation," New York City: 26 September, 2003.

⁵⁶ See 'Quartet frustrations go public' in *Chapter Six: The Disengagement Process*, for an example of Quartet members, particularly the European Union, venting frustration with the breakdown of the Roadmap implementation process.

⁵⁷ For example, see the insistence of European officials that the European Union Border Assistance Mission (EUBAM) be responsible for the monitoring of the Rafah crossing, despite the reservations of both the Israelis and the US. This process was discussed in *Chapter Six: The Disengagement Process*. See also the Russian maintenance of direct lines of communication with Hamas, despite the international diplomatic and economic boycott of the group.

⁵⁸ EEAS Official. Interview with the author, Brussels, November, 2011.

States.⁵⁹ In essence, the Quartet enabled the United States to moderate the involvement of other international actors within the peace process – and to benefit from their frequent support – without any significant political or diplomatic cost. Indeed, from a US perspective, at best the Quartet was an important mechanism for co-opting key international actors and sharing the burdens of the peace process, and at worst it was a forum for discussion and information sharing that carried no legal or financial obligations.⁶⁰ For these reasons, the United States has maintained its association with the Quartet through both the Bush and Obama Administrations, and – at the time of writing – four separate Secretaries of State have acted as US representatives at the principal level.⁶¹

For the non-US members of the Quartet, membership in the grouping presented opportunities to affect US policy and to enhance their visibility as actors in the peace process, but provided no guarantee of either outcome. The United States maintained the exclusivity of its relationship with Israel, and resisted attempts by the other Quartet members to become more involved in mediation efforts.⁶² However, the Quartet functioned as a way for the non-US members to ‘listen to American views, coordinate with them, and meet them on a regular basis.’⁶³ In the absence of opportunities for more meaningful involvement in the peace process – as limited by both political and organisational factors – this function alone was deemed to be of some value for the non-US Quartet members.

For the United Nations Secretary General, membership in the Quartet was both an opportunity and a potential liability. While the grouping provided a platform for the UNSG to emphasise the importance of UN resolutions and to elevate his political

⁵⁹ Indyk claimed that the US occasionally used the Quartet as a tool for increasing its leverage on Israel, by arguing that ‘if you don’t give us something, we’re not going to be able to resist this from the Quartet, so pick your poison.’ This claim is supported by the events surrounding the Israeli housing announcement in March 2010, when both George Mitchell and Secretary of State Clinton used the Quartet as a forum for expressing displeasure with Israeli actions, and for applying diplomatic pressure on Prime Minister Netanyahu (*Chapter Eight: The Post Annapolis Period*).

⁶⁰ Condoleezza Rice noted that the ‘Quartet was a very effective mechanism for coordinating policy toward all aspects of the peace process.’ See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 581.

⁶¹ Specifically, these representatives were Colin Powell, Condoleezza Rice, Hillary Clinton, and John Kerry.

⁶² As discussed in *Chapter Seven: The Palestinian Divide*, Secretary of State Rice noted in the lead-up to the Annapolis conference that it would serve to ‘discipline the Europeans and Arabs by highlighting bilateral negotiations,’ but also give ‘these other players some pride of ownership and some responsibility.’ See: Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 601.

⁶³ Jouret. Interview with the author, Brussels, November, 2011.

visibility within the context of the peace process, it also established a linkage between the work of the Quartet and the United Nations more generally that was – at times – problematic.⁶⁴

While the Quartet afforded the UNSG an opportunity to influence key actors involved in the Middle East peace process, his ability to apply tangible pressure to those actors was limited by the donor-recipient dichotomy within the grouping.⁶⁵ The UNSG was able to offset this limitation by utilising his extensive information gathering capacity – through both UN institutions operating in the Palestinian territories and his regional contacts – and by leveraging the inherent legal and moral authority of his position. However, the danger for the UNSG – in participating in a forum which he did not lead – was that the work of the grouping would be associated with the United Nations irrespective of whether its positions reflected the values of the body. For example, during the international boycott of the Hamas-led Palestinian Authority in 2006, UN personnel in the field were put in ‘the uncomfortable position of trying to alleviate the effects of the ‘siege’ while being seen as one of those who have imposed that siege, or at least having condoned it, and also as part of the international effort to maintain it.’⁶⁶

As de Soto argued, such an outcome risked diminishing the standing of the Secretary General:

Ultimately the Secretary-General is useful to his partners because he carries the UN’s brand name. His participation confers to the Quartet a measure of legitimacy, or at least the impression of it, as well as cover against criticism. Therein also lies the greatest danger he faces: legitimacy is a currency which can all too easily be devalued.⁶⁷

However, while membership in the Quartet inherently affected international perceptions of both the UNSG and the UN more generally, so too did separate developments within the context of Israeli-Palestinian conflict. As a UN official noted, ‘the Israeli-Palestinian conflict, more than any other, shapes the perceptions of large percentages of the world about the United Nations.’⁶⁸ Thus, for the UNSG, membership in the Quartet

⁶⁴ As Kofi Annan noted, his participation in the Quartet’s 2006 position vis-à-vis the Hamas government was particularly controversial within the United Nations. See: Annan, *Interventions: A Life in War and Peace*, p. 290.

⁶⁵ As discussed in *Chapter Seven: The Palestinian Divide*, when the UNSG’s envoy to the Quartet, Alvaro de Soto, refused to agree to the US position on the newly elected Hamas government, US officials threatened that such a position could affect US funding for the United Nations.

⁶⁶ de Soto, “End of Mission Report,” p. 33.

⁶⁷ de Soto, A., “The Role of the United Nations in the Middle East,” in *Italianieuropei*, 2 July 2009.

⁶⁸ UN official. Interview with the author, Jerusalem, November, 2011.

epitomised the tension inherent in his role between acting as an impartial arbiter – at the price of exclusion from politics – and involving himself personally in processes that are of inherent importance to the UN – at the risk of damaging his reputation for neutrality.⁶⁹

In essence, the UNSG's membership in the Quartet was a choice between *observation* and *participation* that reflected the fact that neither was ideal. As Roed-Larsen noted, 'the UN Secretary General would hardly have any political role if he was not in the Quartet, and both Kofi Annan and Ban Ki-Moon understood that fully.'⁷⁰ Indeed, while Annan was an original driving force behind the formation of the Quartet, Ban Ki-Moon inherited – and accepted – his position in the grouping when he was under no serious obligation to do so.⁷¹ Despite setbacks in the peace process, controversy surrounding Quartet positions, and internal resistance from the United States, the Quartet remains an important mechanism for the pursuit of organisational objectives for the UNSG.

For the European Union, membership in the Quartet was an important tool for managing trans-Atlantic relations that also provided an opportunity for expanded European involvement within the political sphere of the Middle East peace process. As with the other non-US members of the Quartet, however, the development of European participation within this sphere relied on the approval of the United States, which was both infrequent and lukewarm.⁷² Furthermore, the United States demonstrated both the capacity and inclination to override European preferences within the Quartet, or to sideline the EU from the peace process altogether.⁷³ For European External Action

⁶⁹ A UN official characterised this choice as being between 'standing Olympian at a distance from the conflict, or rolling your sleeves up and getting your hands dirty.' UN official. Interview with the author, Jerusalem, November, 2011.

⁷⁰ Roed-Larsen. Interview with the author, New York City, October, 2011.

⁷¹ Annan's 2006 'End of Mission' report on the work of the Quartet recommended tactical changes for the Quartet members, but did not include a reconsideration of the UNSG's involvement in the grouping moving forward. See: United Nations Security Council, "Report of the Secretary General on the Middle East," United Nations: S/2006/956: 11 December, 2006.

⁷² Martin Indyk argued that US resistance to the involvement of European actors within the peace process was based on an assessment that such involvement would only serve to complicate the US-Israel relationship. He noted that: 'if there's peace to be made, it's going to be made because the US uses its influence on Israel. And so why would we share that with somebody else? Not because we want to steal the limelight, although that's part of it... but that getting other people involved, when we're the ones that have got to deliver Israel, it just makes it very complicated, because they're always going to offer the Palestinians a better deal than we can get them from Israel.' Indyk, M., Former United States Ambassador to Israel, interview with the author, Washington, DC, November, 2011.

⁷³ For example, the exclusion of European representatives from the 2003 Aqaba Summit by the Bush Administration, and the appointment of Tony Blair as the Quartet representative in 2007 despite the resistance of European officials.

Service officials, however, such outcomes merely reflected the established paradigms of the peace process:

Within the Quartet, we are equal in a way. We can say whatever we want, we express our positions, we try to convince, and sometimes we even oppose the Americans. This is part of the game, and everybody is fine with that. Having said that, we remain what we are, meaning that the Americans have the lead as far as politics is concerned.⁷⁴

Indeed, despite the US propensity to lead the Middle East peace process, European officials reported that within the Quartet there was a 'real exchange and a real influence on each other,' including 'attention and respect for the situations and positions of others.'⁷⁵

For European officials, inherently more constrained by consensus requirements as foreign policy actors than their US counterparts,⁷⁶ the informal nature of the Quartet allowed for a flexible form of policy coordination, in which European interests could be pursued in a less institutionalised setting. Crucially, this setting did not preclude the formulation of European Common Foreign and Security Policies, but instead functioned as a forum for those policies to interact with and potentially influence the approaches adopted by the United States. Membership in the Quartet was a tool for information gathering and coordination that provided a conduit to the foreign policies of the United States, and an opportunity for European influence in an area of organisational concern. For the member countries of the EU, the Israeli-Palestinian conflict remained an issue of historical significance that was increasingly seen as a regional security concern. European Union influence within this sphere was an organisational priority that was served – to a limited extent – by participation within the Quartet.

For Russia, membership in the Quartet created a regular platform for organisational involvement in the peace process, but this involvement was ultimately restricted to consultation with European, US and UN officials. Russian efforts, for example, to sponsor an international peace Summit in Moscow were a frequent feature of Quartet

⁷⁴ Jouret. Interview with the author, Brussels, November, 2011.

⁷⁵ Otte. Interview with author, Brussels, November, 2011.

⁷⁶ European foreign policy creation necessarily involves consensus building between the 27 member states as a precondition to consensus building within the Quartet. Consequently, the EU can only occupy a foreign policy space that its constituents permit it to occupy, and this space is further constrained by the slow moving nature of its bureaucratic framework. An EEAS official noted: 'We are limited by the fact that we work within an institution based on consensus, and from time to time we are a prisoner of that consensus.' EEAS Official. Interview with the author, Brussels, November, 2011.

statements, but failed to materialise throughout the period of analysis.⁷⁷ While this may be explained partly by developments within the peace process that precluded the possibility of such a conference, Russian officials also faced resistance within the Quartet – especially from US officials – to the expansion of the Russian role in this context.⁷⁸

Russian involvement in the Quartet came at no diplomatic or financial cost, nor did it prevent Russian officials from maintaining policies that were in contrast to the stated positions of the grouping.⁷⁹ Furthermore, Russian officials did not set out to create or promote divisions within the Quartet, and Russian positions consistently complemented or mirrored European and US positions.⁸⁰ As Rice noted:

In some matters we worked very effectively with Moscow. This was certainly the case in the Middle East, where Sergei's support in the Quartet of our approach to the Israeli-Palestinian issue was unwavering.⁸¹

Furthermore, the complementarity of Russian positions within the Quartet was enhanced by the preference of Russian officials to remain disengaged from the operational issues of the peace process.⁸² Ultimately, Russian membership in the Quartet allowed for the utilisation of Russian diplomatic resources, and for coordination

⁷⁷ The Roadmap document mentions the need for two international conferences, but does not specify their proposed locations. Quartet specificity regarding a conference in Moscow peaked in 2008, when the grouping mentioned the need for such a conference on four separate occasions – 2 May, 24 June, 26 September, and 9 November. The Quartet members stated that the Moscow conference should take place in Spring 2009, and repeated this phrasing on 26 June 2009. The Moscow conference did not appear again in official Quartet statements until 19 March 2010 when the members declared that the conference would take place 'at the appropriate time.' See: US Department of State, "Joint Statement by the Quartet".

⁷⁸ Martin Indyk noted that US resistance to Russian initiatives has been a consistent feature of the relationship within the Quartet: 'All the Russians want is a conference in Moscow, it's all they've ever wanted. And all we ever say is "at the appropriate time."' Indyk. Interview with the author, Washington, DC, November, 2011.

⁷⁹ The primary example during the period of analysis was Russian diplomatic contacts with Hamas officials concurrent to the Quartet advocating a financial and diplomatic boycott of the Palestinian organisation.

⁸⁰ European Quartet envoy Marc Otte referred to his Russian colleagues within the Quartet as 'pragmatic, and results-oriented,' and noted that Russian positions vis-à-vis the Israeli-Palestinian conflict closely aligned with European positions during his time in the grouping. Otte. Interview with author, Brussels, November, 2011.

⁸¹ Rice, *No Higher Honor: A Memoir of My Years in Washington*, p. 581.

⁸² A UN official noted that: 'They don't get into the weeds of the precise details of the peace process. They focus on ensuring that the Arab League and Arab world is taken into consideration. They seek to focus on Palestinian reconciliation as much as they can, and they also seek to ensure that the legal basis of the peace process as embodied by Security Council Resolutions is somehow respected. But getting into the engineering of how the peace process is going to work is not their thing.' UN official. Interview with the author, Jerusalem, November, 2011.

with actors that had previously acted in cross purposes during the Soviet period, with minimal negative consequences.⁸³

In summary, the Quartet functioned as a useful mechanism for communication between its members during the period of analysis – despite the limitations of the grouping as a tool for enhancing non-US participation in the peace process. The Quartet members' decisions to continue their association with the grouping were grounded in the usefulness of regular coordination and collaboration, even in the absence of an associated enhancement of collective outcomes.

Section Three: The Future of the Quartet

In my view, until the Member States match their professions of concern with a concerted effort to empower the United Nations to make a strategic difference, I am convinced that other forums will be sought to ensure effective multilateral engagement on the conflict. The formation of the Quartet and my participation in it embody this conviction.

- Kofi Annan, United Nations Secretary General (1997-2006).⁸⁴

Quite frankly, there doesn't seem to be any other show in town. This is the only thing we've got.

- European External Action Service Official.⁸⁵

The continuation of the Quartet relies entirely on the preferences of its members. As a non-institutionalised and entirely voluntary mechanism, the members of the Quartet are free to end their association with the grouping at any time. Crucially, throughout the period of analysis, none of the Quartet members chose to do so, even during periods of organisational transition that would have easily justified such a move.⁸⁶ Furthermore, neither the Israelis nor the Palestinians – in an official capacity – have asked the Quartet members to disband or to cease their collective activities.⁸⁷ Thus, the Quartet as a mechanism has survived numerous political and social changes in both its constituent

⁸³ As argued in *Chapter Three: The Formation of the Quartet*, for the non-Russian members of the Quartet, Russian membership in the grouping reduced the potential for Russia to act as a spoiler to Quartet initiatives.

⁸⁴ United Nations Security Council, "Report of the Secretary General on the Middle East," p. 11.

⁸⁵ EEAS Official. Interview with the author, Brussels, November, 2011.

⁸⁶ For example, Secretary of State Rice chose to retain the US membership in the Quartet despite the role of Colin Powell in the formation of the grouping and the public schism between the State Department and the White House during his tenure as Secretary of State. Equally, the Obama Administration, despite seeking to disassociate itself from the policies of the Bush Administration, chose to continue US involvement in the Quartet. Furthermore, in 2007 incoming UN Secretary General Ban Ki-Moon chose to continue the involvement of the office of the UNSG in the Quartet despite the cautionary statements issued by outgoing Secretary General Kofi Annan.

⁸⁷ UN official. Interview with the author, Jerusalem, November, 2011.

member organisations as well as in the parties to the conflict, and – despite some extended periods of inactivity – has retained a persistent presence in the Middle East peace process since its formation. From this it is reasonable to conclude that the continuation of the grouping is likely, if not assured, in the absence of dramatic regional or organisational change. As an EEAS official noted, ‘the Quartet will die when a peace agreement is signed, meaning that it will be here for a long time.’⁸⁸

The flexible and informal nature of the Quartet has allowed it to withstand robust internal disagreements between its members as well as regional upheavals. Furthermore, the consensus-based approach to policy formation did not limit the political prerogatives of its members unless they consented to such limitations. While this approach has affected both the outputs and outcomes of the Quartet, there is no viable alternative to consensus within the context of the peace process. Indeed, if the Quartet was to disband, the United States, the European Union, the UN Secretary General and the Russian Federation would all still remain as actors seeking input into the search for a solution to the Israeli-Palestinian conflict. While the extent to which a *less* coordinated series of interventions by these actors would produce better outcomes is impossible to establish, the ongoing preference of the Quartet members to continue their association indicates that they have determined otherwise.

With the Quartet likely to continue its involvement within the context of the peace process, it is reasonable to question the extent to which the outputs and outcomes of the grouping might be modified by the members over time – even if such a discussion inherently involves a degree of speculation. Firstly, expansion of the Quartet’s core membership is unlikely, especially considering that such expansion was ruled out during the formation of the grouping. Secondly, modifications to the central operating principles of the Quartet seem equally unlikely, as the informal and consensus-based approach allows each member a degree of policy flexibility that underpins their continuing involvement in the grouping. In essence, a Quartet with either extra members or with a more formal structure would cease to be the ‘Quartet’. Changes to the outputs and outcomes of the Quartet, therefore, rely on changes in the behaviour of the Quartet members both inside and outside the grouping, rather than on changes to the structure of the grouping.

⁸⁸ Jouret. Interview with the author, Brussels, November, 2011.

For the Quartet members, the modification of the functioning of the grouping is thus a matter of *tactics*. The key tactical shift advocated by former UNSG Annan, and similarly echoed by current Quartet officials, concerned the ‘robustness’ of the grouping’s diplomacy. As Annan noted:

We must admit our own weaknesses, and we have been too hesitant in emphasizing those very elements that most distinguished the road map from the Oslo process — parallelism, monitoring and clear end goals.⁸⁹

Of note, however, is that Quartet ‘hesitancy’ was the product of internal dissention between the Quartet members that could only be reversed through changes to individual Quartet member positions. As the previous chapters have demonstrated, such consensus building was – and remains – reliant on the United States modifying the way in which it approaches Israel through the Quartet. Thus, Annan’s calls for the Quartet members to present ‘greater clarity at the outset regarding the parameters of an end-game deal,’ to ensure that the Quartet members ‘monitor consistently the actions of the parties to implement existing commitments,’ and to ‘ensure that the results of this monitoring are systematically acted upon,’ are bound to remain subject to both the internal and external political contexts.⁹⁰ Crucial to both contexts are the policy preferences of the United States and Israel, who have continued to resist the expansion of Quartet monitoring, and undermined more substantive Quartet messaging.

In essence, if the Quartet is to adopt a more ‘robust’ approach, then this approach must first be adopted in each – and all – of the Quartet member organisations. Such change would be reliant on the working relationships of the individuals within the Quartet, the political and policy choices of leaders of the Quartet member organisations, and the social, political and economic conditions in the region. Ultimately, the Quartet appears likely to continue unchanged in its role as a platform for coordination, operating within complex and shifting environments.

⁸⁹ United Nations Security Council, "Report of the Secretary General on the Middle East," p. 5.

⁹⁰ *Ibid.*, p. 13.

Concluding Thoughts

People ask whether the long history of negotiation has been beneficial or harmful. It's actually been both, in some respects. Beneficial in the sense that this has been discussed so often that people have a good sense of what the principal issues are and how they might be resolved; harmful in the sense that it's created attitudes among many in the region that it's a never-ending process, that it's gone on for a very long time and will go on forever.

- George Mitchell, United States Envoy to the Middle East Peace Process (2009-2011)⁹¹

There is always an easy solution to every human problem — neat, plausible, and wrong.

- Henry Louis Mencken, author.⁹²

This thesis has evaluated the Quartet as a mechanism for the pursuit of collective and individual outcomes for its members. It has concluded that these outcomes reflected both the nature of the grouping itself, and the nature of the broader political dynamics that existed in the region and beyond. As a platform for collective action within the Israeli-Palestinian conflict, the Quartet was limited by the exclusivity of the US-Israel relationship, the restrictions on Quartet messaging, and the unpredictable nature of regional developments during the period of analysis.

Arguably, the greater utility of the Quartet for its members was as a platform for information sharing and for regular consultation with the United States that was both flexible and resistant to setbacks. As a mechanism, the Quartet did not seek to neutralise US dominance within the peace process or within the grouping itself, nor did it overcome Israeli and Palestinian resistance to third-party intervention in the peace process. In essence, the Quartet provided its members with regular opportunities for constructive collaboration, the outcomes of which were as varied as could be expected given the complexity of the issues being confronted, and the inherent impediments to consensus building. For the Quartet members, this opportunity was – and will likely continue to be – justification enough for the continuation of the grouping.

The thesis posed the question, *why did the Quartet form, and what were the outputs and outcomes of the grouping from 2001-2011?*

⁹¹ US Department of State, "Press Briefing by Special Envoy for Middle East Peace Senator George Mitchell," Washington, DC: 31 August, 2010.

⁹² Mencken, H. L., *A Mencken Chrestomathy*, 1st ed. (New York: A. A. Knopf, 1949), p. 443.

In essence, it has been argued that the dynamics underlying the formation of the Quartet had historical and contemporary precedents. These included both the legacies of Quartet-member involvement in the Middle East peace process, and the changing nature of the conflict at its core. For the members of the Quartet, the grouping provided a mechanism for addressing the perceived deficiencies of previous peace initiatives and for orchestrating the involvement of actors excluded traditionally from these processes. Furthermore, the working relationships between the envoys of the Quartet members underpinned both the formation and subsequent operation of the grouping.

Examination of the general working practices of the grouping, and the impacts of these practices on the utility of the Quartet, established clearly the relationship between Quartet inaction and internal Quartet division – especially regarding the statement authorship process. The outputs of the Quartet varied in accordance with changes in its internal and external contexts, and the primary parties to the conflict – Israel and the Palestinians – and the United States remained the key determinants of progress within the Middle East peace process, irrespective of Quartet collective action.

And yet, although the pursuit of collective and individual outcomes by Quartet members were constrained by the nature of US involvement in both the grouping and its role in developments in the Israeli-Palestinian context, as well as by bilateral developments in the Israeli-Palestinian context, the Quartet remained capable of withstanding setbacks, paradigm shifts and personnel changes. In doing so, it also provided enough added value to the foreign policy interests and objectives of its members to be considered worthy of continuation, more or less unchanged, from the form and functions it possessed on its creation in 2001. Ultimately, the continuation of the Quartet throughout the period of analysis was testament to the role that it was deemed to have played within each of its members' approaches to the peace process. As a UN official remarked, 'if there wasn't a Quartet, we'd need something *like* it.'⁹³

⁹³ UN official. Interview with the author, Jerusalem, November, 2011.

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